



## Staff Report

STAFF REPORT DATE: January 30, 2019

HEARING DATE: February 06, 2019

TO: Interested Parties

FROM: Elena Sasin, Associate Planner

PROPOSAL: **Patricia Reser Center for the Arts (PRCA) and Garage  
CU2018-0017 / CU2018-0018 / DR2018-0123 / LD2018-0032 /  
LO2018-0004 / PD2018-0002 / SDM2018-0006 / TP2018-0008**

LOCATION: The site is located at 12695 and 12600 SW Crescent Street and 3879 SW Hall Boulevard. Tax Lots 3300, 3400, and 800, on Washington County Tax Assessor's Map 1S109DD.

ZONING: RC-TO (Regional Center – Transit Oriented)

SUMMARY: The applicants, City of Beaverton and Beaverton Urban Renewal Agency, propose to construct an approximately 43,235 square foot facility consisting of a theater, lobby, multi-use event spaces, practice areas, art gallery and other ancillary spaces. The proposal also includes a six level above-ground parking garage with ground floor commercial space. A Conditional Use application is required for buildings in excess of 20,000 square feet that are intended for Commercial Amusement. Parking as a principal use in the RC-TO zone also requires a Conditional Use application. Design Review Three approval is required for new construction of more than 50,000 square feet of non-residential floor area. A Replat Two is required for lot consolidate and adjustment to a property line. Modifications to an off-street loading space requires a Loading Determination application. The proposed shared parking garage requires a Parking Determination-Shared Parking application. The proposal also includes a request to modify street tree spacing, therefore a Sidewalk Design Modification application has been submitted. Tree Plan Two approval is requested for removal of approximately 63 trees located within a natural resource area.

APPLICANT  
and OWNER: City of Beaverton / Beaverton Urban Renewal Agency  
Liz Jones / Tyler Ryerson  
PO Box 4755  
Beaverton, Oregon 97005

APPLICANT'S  
REPRESENTATIVE: Angelo Planning  
Shayna Rehberg / Frank Angelo  
921 SW Washington Street, Suite 468  
Portland, OR 97205

DECISION: **APPROVAL of PRCA and Garage  
CU2018-0017 / CU2018-0018 / DR2018-0123 / LD2018-0032  
/ LO2018-0004 / PD2018-0002 / SDM2018-0006 / TP2018-000**

### BACKGROUND FACTS

#### Key Application Dates

Application	Submittal Date	Application Deemed Complete	120-Day*	365-Day**
<b>CU2018-0017</b>	August 13, 2018	December 19, 2018	April 18, 2019	December 19, 2019
<b>CU2018-0018</b>	October 11, 2018	December 19, 2018	April 18, 2019	December 19, 2019
<b>DR2018-0123</b>	August 13, 2018	December 19, 2018	April 18, 2019	December 19, 2019
<b>LD2018-0032</b>	August 13, 2018	December 19, 2018	April 18, 2019	December 19, 2019
<b>LO2018-0004</b>	August 13, 2018	December 19, 2018	April 18, 2019	December 19, 2019
<b>PD2018-0002</b>	August 13, 2018	December 19, 2018	April 18, 2019	December 19, 2019
<b>SDM2018-0006</b>	August 13, 2018	December 19, 2018	April 18, 2019	December 19, 2019
<b>TP2018-0008</b>	August 13, 2018	December 19, 2018	April 18, 2019	December 19, 2019

\* Pursuant to Section 50.25.9 of the Development Code this is the latest date, without a continuance, by which a final written decision on the proposal can be made.

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### Existing Conditions Table

<b>Zoning</b>	Regional Center – Transit Oriented (RC-TO)	
<b>Current Development</b>	Surface parking lot, landscaping, and a natural area.	
<b>Site Size &amp; Location</b>	The site is located between SW Hall Boulevard and SW Rose Biggi Avenue and north of SW Crescent. The site size is approximately 2.8 acres.	
<b>NAC</b>	Central Beaverton	
<b>Surrounding Uses</b>	<b>Zoning:</b> <u>North:</u> RC-TO <u>South:</u> RC-TO <u>East:</u> RC-TO <u>West:</u> RC-TO	<b>Uses:</b> <u>North:</u> Surface parking lot and commercial <u>South:</u> Residential (condominiums) <u>East:</u> Hall Boulevard and commercial <u>West:</u> SW Rose Biggi and hotel and commercial

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### Exhibits

#### **Exhibit 1. Materials submitted by Staff**

- Exhibit 1.1 Vicinity Map (page SR-5 of this report)
- Exhibit 1.2 Aerial Map (page SR-6 of this report)
- Exhibit 1.3 Transportation Engineer Memo dated January 11, 2019

#### **Exhibit 2. Public Comment**

- Exhibit 2.1 Email from Rembold Properties date January 28, 2019

#### **Exhibit 3. Materials submitted by the Applicant**

- Exhibit 3.1 Submittal Package including plans

#### **Exhibit 4. Agency Comments**

- Exhibit 4.1 ODOT
- Exhibit 4.2 Oregon Department of State Lands
- Exhibit 4.3 TVF&R
- Exhibit 4.4 Tri-Met

PRCA and Garage  
CU2018-0017 / CU2018-0018 / DR2018-0123 / LD2018-0032  
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**PRCA and Garage**  
**CU2018-0017 / CU2018-0018 / DR2018-0123 / LD2018-0032**  
**/ LO2018-0004 / PD2018-0002 / SDM2018-0006 / TP2018-0008**



## FACILITIES REVIEW COMMITTEE TECHNICAL REVIEW AND RECOMMENDATIONS

**Patricia Reser Center for the Arts (PRCA) and Parking Garage (CU2018-0017 / CU2018-0018 / DR2018-0123 / LD2018-0032 / LO2018-0004 / PD2018-0002 / SDM2018-0006 / TP2018-0008)**

### **Section 40.03.1 Facilities Review Committee:**

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

**The Facilities Review Committee Criteria are reviewed for all criteria that are applicable to the submitted application as identified below:**

- **All twelve (12) criteria are applicable to both Conditional Use applications (CU2018- 0017 and CU2018-0018), Design Review Three (DR2018-0123), and Replat Two (LD2018-0032) applications.**
- **The Facilities Review Committee Criteria for Approval are not applicable to the submitted Loading Determination (LO2018-0004), Parking Determination (PD2018- 0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan (TP2018-0008) applications.**
- A. All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.**

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes, or can be improved to have, necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

#### *Public Water, Sanitary Sewer and Storm*

The City of Beaverton is the sanitary sewer, storm drainage, and water service provider to the site. Water is made available from existing 12-inch diameter water mains located within SW Rose Biggi Avenue, directly west of the subject site and SW Crescent Street, directly south of the subject site. The applicant's plans show connections to these existing water mains. City of Beaverton sanitary sewer lines are also available within SW Rose Biggi Avenue and SW

Crescent Street. Stormwater runoff is proposed to be treated in a mechanical (StormFilter) treatment system and through vegetated LIDA (Low Impact Development Approach) facilities, prior to being released into the surrounding public stormwater system. The proposed PRCA is adjacent to Beaverton Creek and associated wetland. The applicant's plans show that the sensitive area is preserved where possible. Where encroachments are unavoidable, as explained by the applicant, mitigation is required by Clean Water Services (CWS). The applicant has submitted a Service Provider Letter from CWS which includes conditions of approval for preservation, mitigation, enhancement and maintenance of the sensitive area.

The City Engineer in review of the proposal has determined that by meeting the conditions of approval at the end of this report, this proposal does not impact the level of facilities and services available. The capacity of the existing systems is adequate to support the increase uses of these critical facilities.

### **Transportation**

The subject site is adjacent to existing right-of-way; SW Rose Biggi Avenue to the west, SW Hall Boulevard to the east and SW Crescent Street to the north. Both SW Rose Biggi Avenue and SW Crescent Street are identified as collector streets and SW Hall Boulevard is identified as an Arterial, in the Beaverton Comprehensive Plan Chapter 6: Transportation Element.

The applicant's submitted plans show that the existing right-of-way travel lane width will be retained on SW Rose Biggi Avenue. With the exception of two on-street parking spaces, the existing parking will be removed to accommodate a wider curb-tight sidewalk along most of the SW Rose Biggi Avenue frontage. Proposed sidewalk widths along the western elevation range from approximately 10 feet to 20 feet in width, accomplished through a combination of property within the public right-of-way and proposed easements over private property.

SW Rose Biggi was constructed in 2014 at its ultimate intended width, therefore dedication is not required along this frontage. However, as a Condition of Approval with this development, the applicant shall construct curb-tight sidewalks on both SW Rose Biggi Avenue and SW Crescent Street, with a minimum width of 10 feet.

Shared-lane markings, also known as "sharrows", currently exist on both SW Crescent and SW Rose Biggi Avenue within the vicinity of the subject site. These sharrows help alert users of the road that the travel lanes are intended to be shared by vehicles and bicyclists.

The site's second primary frontage faces SW Crescent Street. The applicant proposes ROW dedication along the site's southern boundary. The submitted plans show ROW dedication widths ranging from 14-feet from the existing northern curb west of the bulb to a 12.5-foot ROW dedication north of the northern curb east of the bulb, for a total ROW width of approximately 50 feet east of the bulb 37 feet west of the bulb. The proposed sidewalk width along



SW Crescent varies from 10 feet to more than 20 feet, and the sidewalk opens up into a plaza on the east side of the PRCA building and connects to a shared-use path. Street trees are proposed along both SW Rose Biggi Avenue and SW Crescent Street. The applicant has submitted a Sidewalk Design Modification application to request an exception to street tree numerical requirements.

The applicant submitted a Traffic Impact Analysis (TIA) prepared by DKS Associates, dated August 2018, and certified by a registered profession engineer. The TIA studied 16 intersections (15 existing and one under construction) within the vicinity of the proposed PRCA and Garage. Trip generation estimates for the proposed auditorium were based on data available from prior studies on vehicle occupancy for auditorium uses which have indicated an average vehicle occupancy of 2.32 persons per vehicle. The applicant's analysis used a lower, more conservative rate of 2.0 persons per vehicle. For the remaining anticipated uses, the analysis relied on rates published in the Transportation Engineers (ITE) Trip Generation Manual, 9th Edition. The proposed development is estimated to result in approximately 323 new external automobile trips being added to the surrounding transportation network during the p.m. peak hour. The analysis concludes that four out of the 16 intersections studied would not meet the City of Beaverton's mobility standards, however the TIA also explains that these intersections would not meet the standards despite the proposed project. Because the potential mitigation measures are disproportionate to the project, and would detract from the pedestrian experience at most of the intersections, the mitigation measures are not recommended by DKS nor the City's Traffic Engineer.

The applicant states an Engineering Design Modification request is being submitted to request an exception to the proposed narrower than standard collector right-of-way on SW Crescent Street, as discussed by Otak and City staff and consistent with an Engineering Design Modification previously secured by The Round for its development fronting SW Crescent Street.

### **Fire Protection**

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R reviewed the proposed development has provided conditions of approval (Exhibit 4.3). TVF&R requirements will be verified at the time of Site Development Permit issuance.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

**Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.**

- B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.**

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant’s plans and materials were shared with Beaverton School District, Tualatin Hills Park and Recreation District (THPRD), City Transportation staff and City Police Department.

#### Schools

The proposed development does not include new housing units and therefore does not directly affect the Beaverton School District (BSD). A copy of the applicant’s materials were shared with BSD staff. City staff did not receive comments on the proposed development from BSD.

#### Transit Improvements

The proposed site is located in an area well-served by bus and light-rail. A TriMet MAX light-rail platform (serving the Blue Line) is located approximately 300 feet south of the subject site. The applicant states that the MAX Blue line provides access to bus lines throughout the Portland metropolitan region with service under 15-minute headways during the a.m. and p.m. peak commute periods. Within approximately one-quarter mile of the site, are four TriMet bus routes. The applicant explains that route 57-TV Hwy/Forest Grove travels along the Tualatin Valley Highway and connects Beaverton to Hillsboro and Forest Grove with approximately 15 to 20-minute headways during the peak commuter periods. Route 20-Burnside/Stark connects Beaverton with SW Portland, Portland City Center, Southeast Portland and Gresham, with 12 to 20-minute headways during the a.m. and p.m. peak period. Routes 76-Beaverton/Tualatin and Routes 78-Beaverton/Lake Oswego run north-south along SW Hall Boulevard and connect Beaverton to Tigard, Tualatin, and Lake Oswego. Both routes travel at approximately half-hour headways during the a.m. and p.m. peak period.

Furthermore, a Major Transit Stop, the Beaverton Transit Center, is located within one-half mile of the proposed project site. The Beaverton Transit Center is a bus, light rail, and commuter rail station that serves TriMet’s MAX Blue and Red lines, TriMet’s WES commuter rail, and numerous TriMet bus routes.

#### Police

To the date of this report Beaverton Police have not provided comments or recommendations to the Facilities Review Committee. Beaverton Police will serve the development site and any comments will be shared with the applicant.

### Pedestrian and Bicycle Facilities

The adjacent sections of SW Crescent and SW Rose Biggi do not currently include delineated bicycle lanes. The applicant's plans do not show the addition of bike lanes, to these rights-of-ways, however the applicant is proposing to include 22 short-term and 38 long-term bicycle parking spaces, consistent with Parking Ratio Requirements identified in Section 60.30.10.5.B of the Beaverton Development Code. Additionally, the Crescent Connection, a 12-foot wide shared-use path, located near the corner of SW Crescent Street and SW Hall Boulevard, will connect the proposed development to the Beaverton Transit Center on SW Lombard Avenue and to SW Cedar Hills Boulevard.

As noted above, the applicant's plans show the construction of required sidewalks along both frontages as well as connections to the existing surrounding pedestrian circulation system.

### Parks

The site will be served by the Tualatin Hills Park and Recreation District (THPRD). The applicant's materials were shared with THPRD who have not provided comments or recommendations to the Facilities Review Committee.

The Committee has reviewed the proposal and has found that the essential facilities and services to serve the site are adequate to accommodate the proposal as conditioned.

**Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.**

- C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).***

Staff cites the Code Conformance Analysis chart at the end of the Facilities Review Report, which evaluates the project as it relates to applicable code requirements of Chapter 20 for the Regional Center – Transit Oriented (RC-TO) zone, as applicable to the aforementioned criterion. As demonstrated in the chart, the development proposal meets all applicable standards.

**Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.**

- D. The proposed development is consistent with all applicable provisions***

**of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.**

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, as applicable to the above mentioned criteria. Staff will provide findings for the applicable Design Review Standards (Code Section 60.05) within the Design Review section of the staff report.

#### Off-Street Loading (Section 60.25)

The proposed PRCA is approximately 43,235 square feet in size. Auditoriums 25,000- 150,000 square feet in size require one Type B loading berth. The proposed garage also includes retail spaces on the ground floor with a total area of 6,750 square feet. Retail spaces below 7,000 square feet do not require loading berths, however, the applicant has proposed a smaller secondary loading area within the Garage, adjacent to the required loading berth location to accommodate deliveries for businesses on the Garage ground floor. The minimum dimensions for a Type B loading berth shall be a minimum of 30 feet long by 12 feet wide by 14 feet 6 inches high and having a 30 feet maneuvering apron. The applicant's plans show the proposed loading berth located within the north-western portion of the garage, with direct access to SW Rose Biggi Avenue. The applicant has also submitted a Loading Determination application to request a modification to the dimensional requirements. Specifically, requesting to reduce the required on-site 30-foot maneuvering apron to zero and proposing to accommodate the maneuvering area within the adjacent right-of-way. Additional analysis will be provided in the Loading Determination section of the staff report (Attachment F).

#### Off-Street Parking (Section 60.30)

Areas served well by transit, such as parking districts 1, 2, and 3 have reduced parking requirements. Retail and uses such as arenas, stadiums and movie theaters do not have a minimum parking requirement. Although the Development Code does not require vehicle parking spaces for the proposed uses, the applicant has commissioned a parking analysis to estimate the parking needs of the proposed uses as well as the district in general. The proposed Garage will provide a total of 354 spaces, 82 of which will be reserved for residents of The Lofts condominiums as part of a private agreement to address the parking displaced by the proposal. The design of the parking garage will be fully evaluated in the Design Review portion of the staff report.

#### Street and Bicycle and Pedestrian Connection Requirements (Section 60.55.25)

As described above in response to Criterion A, the subject site is located between an arterial (SW Hall Boulevard) and two collector streets (SW Crescent Street and SW Rose Biggi Avenue). No new streets are proposed with this development. The applicant has proposed adequate improvements to

the appropriate rights-of-ways. An Engineering Design Manual exception has been requested to deviate from the standard ROW width on SW Crescent Street. The applicant's plans show that sidewalks with a minimum width of 10-feet are proposed along both SW Rose Biggi Avenue and SW Crescent Street. The proposed sidewalks are shown to connect to the existing public circulation system in a safe and efficient manner. The Committee recommends a condition of approval requiring the applicant to provide a ramp on the east side of SW Rose Biggi Avenue to receive pedestrians from the ramp currently under construction on the corner of SW Rose Biggi and SW Thayer Street.

For the proposed uses, 5 short-term and 8 long-term bicycle parking spaces are required. The applicant has proposed 22 short-term spaces and 38 long-term spaces, exceeding the requirements. The applicant's plans show the proposed location of three staple-like racks in the plaza area for short-term spaces which will provide for 6 bicycles and additional racks between street trees along SW Crescent Street and SW Rose Biggi Avenue. The short-term bicycle parking spaces are conveniently located near main points of entry and pedestrian areas, such as the plaza and public sidewalks. Long-term bicycle parking spaces will be accommodated within a designated room on the first floor of the proposed parking garage.

#### Transportation Facilities (Section 60.55)

As noted above in the response to Facilities Review Criterion A, the applicant has submitted a Traffic Impact Analysis that shows that, by meeting the conditions of approval, the development will provide the required transportation facilities needed for the proposed uses. The applicant's plans also show that the subject site is located between three existing rights-of-ways; SW Hall Boulevard, SW Crescent Street, and SW Rose Biggi Avenue. The applicant's plans show sidewalk improvements along SW Crescent Street and SW Rose Biggi Avenue to accommodate pedestrians. One vehicular driveway is proposed for the Garage and is shown to connect directly to the adjacent SW Rose Biggi Avenue.

#### 60.60 Trees and Vegetation Requirements

The subject site contains existing landscape trees and protected trees located within a Significant Natural Resource Area (SNRA). The applicant states that approximately 73 landscape trees are proposed to be removed, as well as 63 trees from the SNRA. The applicant has submitted Design Review Three and Tree Plan Two applications which are required for the removal of landscape trees and protected trees. Tree removal will be reviewed under the applicable criteria and findings are provided within the staff report.

#### Utility Undergrounding (Section 60.65)

To meet the requirements of Section 60.65, staff recommends a standard condition of approval requiring that utility lines are placed underground.

**Therefore, the Committee finds that by meeting the conditions of**

approval, the proposal meets the criterion.

- E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.**

The applicant states that future maintenance responsibilities of the site and buildings will be the role of the City, BURAs, and/or a future owners association established in part for this purpose. The ownership and maintenance entities will manage the steps necessary to provide continued maintenance and necessary replacement of private common facilities and areas such as drainage facilities, sidewalks, the parking area, landscaping, utility facility screening, and garbage and recycling storage areas.

The proposal, as designed, will not preclude adequate maintenance of the proposed facilities. Staff concurs that the property can be maintained by the property owner in accordance with the requirements of the City of Beaverton.

**Therefore, the Committee finds that the proposal meets the criterion for approval.**

- F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.**

In review of Criterion F, staff incorporates the findings prepared in response to A, B and D above. The applicant proposes to maintain or improve existing adjacent right-of-ways, including widening sidewalks. The applicant's plans show that the PRCA and the Garage provide multiple points of access to the sidewalk and street. PRCA's main entrance is centrally located on SW Crescent Street. For the garage, there is a lobby, with stair and elevator access, on SW Crescent, near the PRCA. Entrances to retail spaces are proposed on the garage's ground floor façade along both SW Crescent Street and SW Rose Biggi Avenue. Sidewalks and street improvements are shown to be designed in accordance with the City of Beaverton's Engineering Design Manual, except where modifications to those standards are approved through an Engineering Design Manual exception and/or Sidewalk Design Modification. The applicant has submitted a Sidewalk Design Modification application to address non-conforming aspects of the proposed sidewalk planter areas.

In review of the plan, the Committee finds that the site will have safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

**Therefore, the Committee finds that the proposal meets the criterion for approval.**

**G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.**

In review of Criterion G, staff incorporates the findings prepared in response to A, B and D above, including conditions. The applicant's plans show the proposed pedestrian circulation systems will connect with the surrounding circulation system in a safe, efficient and direct manner. An on-site vehicular system is not proposed, however, the applicant's plans demonstrate the maintenance or improvement to the surrounding vehicular systems, as required.

**Therefore, the Committee finds that the proposal meets the criterion for approval.**

**H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.**

In response to guidance provided by TVF&R at the Pre-application conference, the applicant states that apparatus access will be available from the south and west sides of the development, along SW Rose Biggi Avenue and SW Crescent Street. Fire protection includes a building-mounted fire department connection (FDC) approximately 200 feet north of the SW Rose Biggi/SW Crescent Street intersection on the SW Rose Biggi Avenue façade of the garage and five fire hydrants near the project site.

Fire protection will be provided to the site by TVF&R. TVF&R has reviewed the proposed development and have provided conditions of approval. TVF&R requirements, will be verified at the time of Site Development Permit issuance. The proposal will also need to show compliance to the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with other TVF&R standards.

**Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.**

**I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.**

The applicant identifies specific design features and standard that could help provide protection from crime and accidents, such as: meeting vision clearance requirements, providing sufficient lighting levels consistent with the city's lighting standards, increased transparency on ground floor elevations and construction documents for building and site development permitting will be reviewed to ensure compliance with City codes and standards.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

**Therefore, the Committee finds that the proposal meets the criterion for approval.**

***J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant has submitted a Preliminary Storm Water Management Report, including Storm Water Plans (Exhibit C of the applicant's materials), which demonstrate compliance with existing regulations and quantifies the runoff from the site. The applicant explains that detention facilities are not proposed, nor required, to mitigate the net increase in impervious areas on-site. The building area (roof drainage) will be collected in a closed system, directed into a proprietary water quality device, which will in turn be connected to the existing 18-inch storm drain in SW Crescent Street. Paved areas adjacent to SW Crescent Street will be directed over the sidewalk and into the Crescent Street system. On-site, pervious areas will be directed to Beaverton Creek. Water quality will be achieved by allowing storm water runoff to be filtered through a natural media filter along the perimeter of the paved area (creekbank). Water quality will be improved via the proprietary devices and no runoff will extend beyond the project boundary.

The City Engineer has reviewed the proposed grading and Storm Report, and has identified recommended standard conditions of approval. These recommended conditions are necessary to ensure the proposed site work will be in compliance with adopted codes and standards and to ensure the proposal will not have an adverse impact to surrounding properties, including the sensitive natural area located east of the PRCA. CWS has reviewed the proposal and has provided corresponding conditions of approval.

**Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.**

***K. Access and facilities for physically handicapped people are incorporated***



***into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.***

The applicant will be required to meet all applicable accessibility standards of the Uniform Building Code, the Uniform Fire Code, and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee finds that as proposed, it appears that the general site layout can meet accessibility requirements. Accessibility is thoroughly evaluated through the site development and building permitting reviews. This requirement is in conformance with the Development Code.

**Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.**

***L. The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.***

The application was submitted on August 13, 2018. The application was deemed complete on December 19, 2018. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

**Therefore, the Committee finds that the proposal meets the criterion for approval.**

**Code Conformance Analysis**  
**Chapter 20 Use and Site Development Requirements**  
**Regional Center-Transit Oriented (RC-TO) Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.20.20 (Regional Center-Transit Oriented)</b>			
Use - Conditional	Commercial Amusement	The applicant proposes a performing arts facility, including a 550-seat theater, multi-use event spaces, practice facilities, art gallery, presentation room and meeting spaces, Lab Studio, and administrative space. The proposed use is classified as a Commercial Amusement.	Subject to CU approval
Use - Conditional	Parking as the Principal Use	The applicant proposes an above-grade, parking garage with approximately 354 parking spaces.	Subject to CU approval
Use - Permitted	Retail	The applicant proposes approximately 6,750 square feet of retail space within the ground floor of the Garage.	Yes
<b>Development Code Section 20.20.15 (Regional Center-Transit Oriented)</b>			
Minimum/Maximum Lot Area	None	The subject site currently consists of three separate lots. The applicant proposes to consolidate two of the lots, tax lot 3300 and 3400 of map 1S109DD, which would result in a 70,547 square foot lot. The third lot included in the proposal is the site of the Beaverton Creek and associated sensitive natural area, located on tax lot 800. The proposal also includes adjusting the property line between tax lots 3400 and 800 which will reduce tax lot 800 to 42,421 square feet as part of the Replat Two.	Yes

Floor Area Ratio	Min: 0.60 Max: None	The proposed Garage and PRCA combined provide approximately 66,005 gross square feet of floor area. The applicant's plans show a net site area of approximately 84,106.8 square feet, which will result in a Floor Area Ratio of approximately 0.78.	Yes
Minimum Lot Dimensions	None	N/A	N/A
Minimum Yard Setbacks Front Side Rear	0 ft. 0 ft. 0 ft.	All setbacks will meet the 0 foot setback minimum.	Yes
Maximum Front Yard Setback	Governed by Design Review	Front yard setbacks are regulated by Design Review as the site is adjacent to a Major Pedestrian Route.	See DR Findings
Maximum Building Height	120'	PRCA Height is approximately 62 feet and the approximate height of the proposed Garage is 75 feet.	Yes

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Construction of non- residential floor area, such as a performing arts facility and parking garage, in excess of 50,000 square feet, shall require a Design Review Three application. The development proposes a total area of approximately 199,735 square feet therefore a Design Review Three has been submitted.	Refer to DR findings
<b>Development Code Section 60.10</b>			
Floodplain Regulations	Requirements for development within floodplains.	A FEMA designated floodway is shown to cover a portion of tax lot 800. The associated floodway fringe extends to the boundaries of tax lot 800 and overlaps onto tax lot 3400 in some areas. The Base Flood Elevation (BFE) on the subject site is 176.5 feet. To meet floodplain development requirements, the building must be constructed at 2 feet above the BFE, dry-flood proofed, or constructed of flood damage resistant materials. The applicant's plans show that the building will be elevated to comply with this section. No construction is proposed within the FEMA Floodway.	<b>Yes</b>
<b>Development Code Section 60.25</b>			
Off-Street Loading	Off-street loading requirements.	The applicant has applied for a Loading Determination application to reduce the maneuvering apron. The applicant's loading request is fully addressed in the Loading Determination section of the staff report.	See LO findings

Development Code Section 60.30			
Off-street motor vehicle parking	<u>Arena / Stadium</u> Minimum: 0 Maximum: 0.25 per seat =138 spaces  <u>Retail</u> Minimum: 0 Maximum: 5.1 (Parking Zone = 34 spaces  <u>Office, Admin. Facilities</u> Minimum: 0 Maximum: 3.4 (Parking Zone A) = 8 spaces	The applicant has provided a parking analysis to estimate anticipated parking needs and has proposed a 354 space parking garage. 82 of these proposed spaces will be set aside to for residents of The Lofts. The proposed Garage is intended to serve the needs of the district, without specific land use allocations, and not only the PRCA and uses proposed with this development. The BDC (Section 60.30.10.7) also permits surplus parking, without requiring approval of a Major Adjustment application, so long as the surplus parking is located within a parking structure. Parking as a Principal use, is not subject to minimum and maximum parking requirements.	Yes
Required Bicycle Parking Short Term and Long Term	<u>Short term:</u> 5 spaces <u>Long Term:</u> 8 spaces	22 spaces 38 spaces	Yes
Development Code Section 60.40			
Sign Regulations	Requirements pertaining to the size and location of signs	Signs are not approved through the Design Review process. Sign permits will be needed prior to installation.	N/A
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes, w/COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Removal of Landscape Trees and trees within a Significant Natural Resource Area.	See DR and TP Findings

<b>Development Code Section 60.65</b>			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant states that all new utilities will be undergrounded with the exception of the building-mounted FDC, a gas meter approximately 30 inches above grade adjacent to the loading berth entry, streetlights, and possibly electric charging stations. The fire hydrant on the northeast corner of the SW Rose Biggi Avenue/SW Crescent Street intersection will be retained. An above ground PGE vault and pedestal is under investigation and may be removed. In addition, existing above ground utilities in the location of the PRCA plaza will be relocated. The Committee proposes a standard condition of approval to ensure utility undergrounding complies with Section 60.65.	Yes-with COA
<b>Development Code Section 60.67</b>			
Significant Natural Resources	Regulations pertaining to Significant Natural Resources	The applicant has provided a natural resource assessment and will be required to comply with Local Wetland Inventory map as well as conditions of approval provided by CWS.	Yes, w/COA

**CU2018-0017 (PRCA – Commercial Amusement)  
ANALYSIS AND FINDINGS FOR  
CONDITIONAL USE APPROVAL**

**Section 40.03.1 Facilities Review Approval Criteria:**

*The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:*

**Facilities Review Approval Criteria Section 40.03.1.A-L**

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

**Therefore, the Committee finds that the proposal meets the criteria.**

**Section 40.15.15.3.C New Conditional Use Approval Criteria:**

*In order to approve a New Conditional Use application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

***1. The proposal satisfies the threshold requirements for a Conditional Use application.***

The applicant proposes to construct a center for the arts. The proposed *Commercial Amusement* use, in the Regional Center – Transit Oriented (RC-TO) zoning district, is larger than 20,000 square feet and therefore subject to Conditional Use approval. No previous record of a Conditional Use permit was found for the subject site for the same proposed use. Therefore, the facility is being reviewed as a New Conditional Use.

**40.15.13.3.A.1 Threshold:**

***1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.***

**Therefore, staff finds the proposal meets the criterion for approval.**

***2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fee associated with a New Conditional Use application.

**Therefore, staff finds the proposal meets the criterion for approval.**

**3. The proposal will comply with the applicable policies of the Comprehensive Plan.**

The applicant states that the proposed development complies with applicable policies of the Comprehensive Plan, as identified below.

**3.1.1.a) Emphasize pedestrian convenience and safety in all developments and transportation facilities**

The applicant's plans show that sidewalks, varying in width from 10 feet to 20 feet are provided along the southern elevation, adjacent to SW Crescent Street, of the proposed Patricia Reser Center for the Arts (PRCA) and a plaza which seamlessly connects to the sidewalks is provided on the eastern side of the proposed building. The proposed sidewalks are shown to connect to the existing and proposed (the Garage) pedestrian circulation systems surrounding the site, including a recently completed Crescent Connection shared-use path. The applicant's plans show direct and efficient pedestrian access is provided throughout the site. Sidewalks link all building entrances, outdoor plaza, and parking areas on the site.

**3.1.1.c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections to and through the development, including to reach nearby points of interest.**

The adjacent section of SW Crescent does not currently include delineated bicycle lanes. The applicant's plans do not show the addition of bike lanes to SW Crescent, however the applicant is proposing to include 22 short-term and 38 long-term bicycle parking spaces, consistent with Parking Ratio Requirements identified in Section 60.30.10.5.B of the Beaverton Development Code. Furthermore, shared-lane markings, also known as "sharrows", currently exist on both SW Crescent Street and SW Rose Biggi Avenue within the vicinity of the subject site. These sharrows help alert users of the road that it is a shared lane. Additionally, the Crescent Connection, a 12-foot wide shared-use path, located near the corner of SW Crescent Street and SW Hall Boulevard, will connect the proposed development to the Beaverton Transit Center on SW Lombard Avenue and to SW Cedar Hills Boulevard. As noted above, the applicant's plans show the construction of required sidewalks along SW Crescent Street, as well as connections to the existing surrounding pedestrian circulation system, in a safe, comfortable and direct manner.

**3.1.1.f) Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.**

The subject site is not directly adjacent to transit stops but it is located within close proximity to a MAX Blue Line platform, approximately 300 feet south. Access to the platform is provided in several ways, including sidewalks which lead pedestrians around the existing Lofts Condominiums, located between the subject site and transit platform, or through a passageway which connects SW Crescent to The



Round plaza and ultimately the MAX platform.

***3.1.1.j) Encourage use of structured, underground, and or tuck-under parking for commercial, office, and multifamily development.***

Areas served well by transit, such as parking districts 1, 2, and 3 have reduced parking requirements. Retail and uses such as arenas, stadiums and movie theaters do not have a minimum parking requirement. Although the Development Code does not require vehicle parking spaces for the proposed Commercial Amusement use, the applicant has commissioned a parking analysis to estimate the parking needs of the PRCA and proposed uses in the Garage as well as the district in general. The proposed structured parking garage (reviewed under CU2018-0018) will provide a total of 354 spaces, 82 of which will be reserved for residents of The Lofts condominiums as part of a private agreement to address the parking displaced by the proposal.

***3.1.1.k) Encourage shared parking agreements in all areas with significant volumes of surface parking lots.***

As described in response to goal 3.1.1.j above, parking is not required for the proposed use. However, the applicant is also proposing a structured parking garage (the Garage) concurrently with the PRCA which will address some of the anticipated needs of this use, proposed commercial uses in the Garage and other general uses in the district.

***3.1.1.l) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.***

The Garage is anticipated to accommodate some of the automobiles associated with the use of the PRCA, however, the Garage is also proposed to be available to other uses in the district. As stated by the applicant's transportation consultant, Rick Williams Consulting, parking demand at peak hour exceeds the number of proposed parking stalls. The limited number of parking stalls, combined with the 60 bicycle spaces proposed and the proximity to a MAX light rail platform, the Garage is not anticipated to detract from the desirability of other modes.

***3.3.1.b) Conserve, protect and enhance natural resources identified in the city's adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.***

The city's adopted Significant Natural Resources inventories identify natural resource areas on the subject site. The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the analysis, the PHS explains that the assessment relies in part on prior work completed for prior development of these properties. A Service Provider Letter (SPL) was obtained in 2002 (CWS File

Number 1361) for construction of a parking lot and other improvements on the subject site. PHS explains that the limits of the vegetated corridor (VC) established during these prior projects, set the baseline for the VC associated with this proposal. Furthermore, PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns and that the reduction in wetland area is believed to be the result of the construction of the aforementioned surface parking lots, on land that was previously vacant, and water was allowed to flow freely toward Beaverton Creek. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS), is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite.

***3.1.1.d) Wherever possible, allow resource areas to serve multiple purposes and acknowledge their multiple benefits.***

The applicant proposes to protect and enhance the majority of the natural resource area located on site. This enhanced Beaverton Creek area will be visually accessible from SW Hall Boulevard on the east and from the proposed PRCA plaza on the west which will provide new visual access to the area and provide a naturally occurring design element for the PRCA.

***3.6.1.a) Provide for a mix of commercial, residential, employment, and civic uses at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit.***

The proposed development features a mix of commercial, employment, and civic uses in a multi-story building adjacent to proposed sidewalks 10- to 20-feet in width. The applicant's plans show that the proposed sidewalks connect to the existing pedestrian circulation areas and streets, making the development accessible by various modes, including transit. The applicant states that the uses in the PRCA, as well as the Garage, have been envisioned as part of creating a vibrant Regional Center through a series of planning processes including, most recently, the adopted Creekside District Master Plan and Westgate Redevelopment Plan. The proposed development will have active uses at street level including a gallery, lobby, presentation room and a plaza between the east side of PRCA and Beaverton Creek. Active uses coupled with transparency (a high level of glazing) on the ground and upper floors of PRCA will contribute to the development's vibrancy.

***3.6.1.b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.***

The applicant states the multi-story PRCA will include a 550-seat performing arts theater, a lobby, multi-use event spaces, practice facilities, art gallery, presentation room, meeting spaces, lab studio, and outdoor plaza. Furthermore, the PRCA is

being reviewed concurrently with the adjoining structured parking garage which is proposed to provide ground floor commercial spaces, within short walking distance from the PRCA's primary entrance.

**3.6.1.d) Pedestrian-oriented design is a priority within mixed-use areas. Pedestrian oriented design generally includes:**

***i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development.***

The applicant's plans show the PRCA will be located next to or in close proximity to the adjacent sidewalk. The applicant proposes sidewalks at least 10 feet in width, which contribute to a pedestrian oriented design. The applicant's plans also demonstrate other design features that establish pedestrian interest, such as extensive use of windows on the ground floor, cantilevered facades, off-setting walls and pedestrian-scale lighting.

***iii. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)***

The applicant's plants show right-of-way improvements that will provide 10- to 20-foot wide sidewalks. Street trees are proposed along SW Crescent Street with the exception of an area designated for loading. Pedestrian protection will be provided in this area by removable bollards.

**3.6.2.b) New development, redevelopment, and public investments in this area should help make it a pedestrian-oriented and transit-friendly urban mixed-use center.**

The proposed PRCA is located within close proximity to the MAX Blue Line platform and is shown to integrate into the existing surrounding pedestrian circulation system. The applicant proposes 60 bicycle parking spaces, conveniently distributed around the PRCA, Garage and within the Garage. Access to the PRCA is direct and efficient and the proposed use, Commercial Amusement, will contribute to an urban mixed-use center.

**3.6.2.c) Ensure that redevelopment intensifies land use, with less land dedicated to surface parking and more land occupied by multistory buildings along walkable streets.**

The subject site is currently a surface parking lot. The proposed PRCA will replace the existing parking lot and intensify the land use. The applicant's plans show the multi-story building is located adjacent to or within close proximity to 10- to 20-foot

sidewalks which further connect to an existing street system with sidewalks.

***3.6.2.f) Encourage an “18-hour” mix of uses, including retail, employment, civic, entertainment, and residential uses, to bring people downtown and generate activity throughout the day and evening.***

The primary feature of the PRCA is a 550-seat theater, which the applicant states is designed to attract acclaimed local, regional, and national performers and touring productions. Additionally, other spaces within the PRCA, such as multi-use event spaces, art gallery, lab studio, and presentation room, are anticipated to generate activity in the area throughout the day.

***3.6.2.h) Encourage higher intensity development near MAX and WES stations, creating mixed-use station communities that locate housing, jobs, and services near transit.***

The proposed PRCA is located approximately 300 feet north of a MAX Blue Line station. The subject site currently serves as a surface parking lot. The PRCA will intensify the use on the site, draw people to the area and generate more activity throughout the day. Furthermore, the PRCA will create opportunities for jobs.

***3.6.2.i) Ensure high-quality pedestrian-oriented design, especially along pedestrian routes, to create an environment that is enjoyable for pedestrians.***

The applicant's plans show the development will be located next to or within close proximity to the adjacent sidewalk, providing direct pedestrian access to the PRCA. The applicant proposes sidewalks at least 10 feet in width, which contribute to a pedestrian oriented design and create a more enjoyable environment for pedestrians. Other design features that establish pedestrian interest are proposed, such as extensive use of windows on the ground floor, cantilevered facades, off-setting walls and pedestrian-scale lighting.

***3.6.2.j) Ensure public realm improvements support the creation of a vibrant, pedestrian- and transit-oriented downtown and provide amenities that spur development.***

The applicant's plans show public realm improvements to the adjacent right-of-way, SW Crescent, support the creation of a vibrant, pedestrian- and transit-oriented downtown, by proposing wide sidewalks, pedestrian-minded design, and efficient access to transit amenities.

***3.6.2.k) Ensure that development at highly-visible locations that serve as “gateways” to the Central City has design features (e.g. height, mass, and***

***building orientation) that enhance awareness of Central Beaverton.***

The Beaverton Comprehensive Plan does not currently identify specific “gateway” locations. However, the centrally located PRCA incorporates design features that enhance awareness of Central Beaverton. The proposed building mass steps up from the creek, a cantilevered second level with intensive glazing projects out over the proposed plaza which opens up to the adjacent Beaverton Creek and right-of-ways.

***3.6.2.l) The Downtown Regional Center designation is intended for areas within central Beaverton that have been designated in collaboration with Metro as a Regional Center in the Metro Regional Framework Plan and 2040 Growth Concept.***

Metro’s 2040 Growth Concept shows this area as a Regional Center, the City’s zoning of the site as Regional Center-Transit Oriented (RC-TO) is consistent with the 2040 Growth Concept Plan.

***7.1.1.a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.***

The applicant has submitted a Service Provider Letter from Clean Water Services.

***7.1.1.b) Where adverse impacts to Significant Natural Resources cannot be practicably avoided, require mitigation of the same resource type commensurate with the impact, at a location as close as possible to the impacted resource site.***

A wetland associated with Beaverton Creek is located on the subject site. The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the analysis, the PHS explains that the current onsite conditions differ from those identified in the city’s Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns. PHS further explains that the reduction in wetland area is believed to be the result of the construction of surface parking lots constructed in 2004, on land that was previously vacant, and water was allowed to flow freely toward Beaverton Creek. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS) in a Service Provider Letter, is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite, in accordance with CWS requirements.

***7.1.1.c) Allow for relaxation of development standards to protect significant natural and historic resources. Such standards may include but are not***

***limited to minimum setbacks, maximum building height, minimum street width, location of bicycle, pedestrian and multi-use paths, etc.***

The applicant has submitted several Engineering Design Manual exception requests to address the constrained right-of-way on SW Crescent Street and an a-symmetrical crown.

***7.3.1.1.a) Inventoried natural resources shall be conserved, protected, enhanced or restored:***

- ***to retain the visual and scenic diversity of our community;***
- ***for their educational and recreational values;***
- ***to provide habitats for fish and wildlife in our urban area.***

***7.3.1.1.b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.***

In response to 'a' and 'b' above, the applicant's natural resource assessment indicates that the inventoried wetland, less than half an acre in size, does not meet the locally significant wetlands inventory criteria. Furthermore, the Oregon Department of State Lands has provided a response to the proposal, stating that a State permit will not be required (Exhibit 4.2). The applicant has submitted a Service Provider Letter from CWS which establishes a vegetated corridor between the sensitive area, containing the insignificant wetland, and the proposed development. The applicant's plans show protection and enhancement of the onsite natural resource area, with limited encroachment into the vegetated corridor proposed. When impacts to the vegetated corridor area are unavoidable, mitigation is proposed. The protected and enhanced Beaverton Creek, will remain visually accessible from SW Hall Boulevard, additionally the applicant's plans show the natural resource area will also be visually accessible from the PRCA plaza and building. The applicant's resource assessment states that overall, the project is anticipated to maintain existing fish and wildlife habitat but that the enhancement plantings will expand upon existing cover of native vegetation and vegetation structure, which will improve local habitat conditions.

***7.3.1.1.c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.***

The applicant's plans show that the significant portion of the existing natural resource area on the site will either be maintained or improved to CWS standards. The applicant's plans also demonstrate that the natural resource area will be an integral part of the overall site design, with large windows oriented towards the creek and a plaza adjacent to it.

***7.3.1.1.e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.***

A Service Provider Letter from Clean Water Services has been obtained. The Site Development permit review process ensures compliance with all applicable natural resource requirements from agencies such as U.S. Army Corps of Engineers, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. The Oregon Department of State Lands has provided a written response to the proposal, indicating that a State permit will not be required (Exhibit 4.2).

***7.3.1.1.f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.***

A small portion of the proposed building encroaches into the adjacent vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area. The city's adopted Significant Natural Resources inventories identify natural resource areas on the subject site. The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the assessment, PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns believed to be attributed to the development of the existing parking lot and associated improvements. A Service Provider Letter (SPL) was obtained in 2002 (CWS File Number 1361) for construction of a parking lot and other improvements on the subject site. PHS explains that the limits of the vegetated corridor (VC) established during these prior projects, set the baseline for the VC associated with this proposal. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS), is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite.

***7.3.1.1.g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and "best management practices" are employed.***

A small portion of the proposed building encroaches into the adjacent vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area, as required by CWS. Furthermore, the

proposed development is required to comply with CWS's Best Management Practices for erosion control and sediment control, as conditioned by CWS.

***7.3.1.1.h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.***

The applicant's plans do not indicate new roads or utilities proposed within the natural resource area. Both SW Hall and SW Crescent are existing right-of-ways, and utilities are proposed within the existing right-of-way. Despite additional right-of-way dedication, SW Crescent Street, located south of the resource area, will continue to be narrower than the standard for Collector streets. The applicant has requested an Engineering Design Manual exception to address the constrained right-of-way.

***7.3.2.1.a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.***

A small portion of the proposed building encroaches into the adjacent vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area, as required by CWS. Additionally, the applicant is required to enhance the onsite vegetated corridor to meet or exceed good corridor conditions, as defined by CWS.

***7.3.2.1.b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.***

A portion of Beaverton Creek is located on the subject site. A small portion of the proposed building encroaches into the adjacent vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area, as required by CWS. The applicant's plans show that this Beaverton Creek area will be enhanced and incorporated into the overall site design of the proposal.



***7.3.2.1.a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.***

The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the analysis, PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns. PHS further explains that the reduction in wetland area is believed to be the result of the construction of surface parking lots constructed in 2004, on land that was previously vacant, and water was allowed to flow freely toward Beaverton Creek. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS) in a Service Provider Letter, is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite, in accordance with CWS requirements. Furthermore, the applicant's natural resource assessment indicates that the inventoried wetland does not meet the locally significant wetlands inventory criteria as it is less than half an acre in size. The Oregon Department of State Lands has provided a response to the proposal, stating that a State permit will not be required, as the proposal appears to avoid impacts to jurisdictional wetlands and waters (Exhibit 4.2).

***7.3.2.1.b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.***

As described above in response to goal 7.3.2.1.a, significant wetlands were not identified by PHS. However, a vegetated corridor has been established to protect the onsite portion of Beaverton Creek. The applicant's Service Provider Letter from CWS shows limited encroachment by the building is proposed therefore mitigation is also proposed and required.

***7.3.2.1.c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.***

The applicant has not submitted a Variance application concurrently with this application.

***8.4.1.a) Noise impacts shall be considered during development review processes.***

The applicant states that all exterior windows of PRCA will be insulated and double glazed. Noise from the PRCA's mechanical system will be mitigated by the architecture. Specifically, the west side air handling unit (AHU) is enclosed within the building envelope. Two additional AHUs are located on the north side of the building, away from the residences and businesses on the south side of SW

Crescent Street, and are concealed behind a solid wall enclosure.

This area is intended to be an 18 hour neighborhood, allowing a mix of uses for extended period of the day, as such the RC-TO zoning district does not have hours of operations limits for uses within the district. However, the City's noise ordinance will still be applicable to the proposed use. Staff finds that noise impacts have been adequately addressed and are appropriate for the proposed use in the proposed zoning district.

***8.7.1.a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.***

***8.7.1.b) Development shall be prohibited in the floodway, except as necessary for the placement of roadways, utilities, stormwater conveyance, bridges, culverts, and grading related to public utility projects as permitted by the appropriate implementing ordinances.***

***8.7.1.c) Construction within the floodfringe shall be regulated through the City's implementing ordinances, such as the City's Engineering Design Manual and Standard Drawings.***

In response to a-c above, the subject site is affected by a FEMA (Federal Emergency Management Agency) designated floodplain and floodway. Development is not proposed within the floodway the applicant's plans show that the proposed building will be elevated two feet above the Base Flood Elevation. The proposal has been reviewed by the City's Floodplain Manager, Jim Duggan and by Clean Water Services, who has issued a Service Provider Letter acknowledging the proposed development.

After reviewing all applicable Comprehensive Plan policies, staff finds that the proposal complies with the Comprehensive Plan.

**Therefore, staff finds the proposal meets the criterion for approval.**

***4. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.***

The project site is currently relatively flat and serves as a surface parking lot. The eastern portion of the site contains Beaverton Creek but limited encroachment into this natural area is proposed to accommodate the building. The applicant states that given natural resources to the east and north, private property to the north, and streets to the east (SW Hall Boulevard), south (SW Crescent Street), and west (SW Rose Biggi Avenue), the proposed development of PRCA will optimize efficient use of the site. Lot coverage appropriate for an urban core area is proposed while allowing for open space – both hardscaped and landscaped – between PRCA and Beaverton Creek, which will serve as a gathering space and a transition and buffer between the built and natural environment. Staff concurs that the applicant's plans demonstrate that the size, dimensions, configuration and topography of the site can reasonably

accommodate the PRCA and the adjoining Garage.

**Therefore, staff finds the proposal meets the criterion for approval.**

- 5. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.***

The project site is situated in the center of the RC-TO District, a multiple use district, and is surrounded by RC-TO zoning on all sides. The applicant references The Beaverton Regional Center Community Plan, which the applicant states establishes goals to make the Regional Center into “Downtown” Beaverton and, as such, to make it a focus of “commerce, high-density housing, and civic activities.” The proposed PRCA provides commercial and civic uses, in a dense multi-story building. Furthermore, the applicant states that the proposed PRCA building (approximately 62 feet at the highest point) is well within the maximum height standard of 120 feet in the RC-TO district. The featured function of the building is the 550-seat theater but multiple other uses area accommodated within the PRCA such as an art gallery, meeting spaces, and presentation room. The applicant’s plans show that the bulk of the building shifts throughout the site with the use of off-setting walls, cantilevered windows and a stepped roofline. The applicant states that the PRCA offers large expanses of glazing to provide lightness, transparency (particularly for PRCA adjacent to Beaverton Creek), and a pedestrian orientation.

Staff finds that the size, location and functional characteristics of the proposal are reasonably compatible with and have minimal impact on surrounding uses.

**Therefore, staff finds that the proposal meets the criterion is met.**

- 6. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for New Conditional Use approval. An additional Conditional Use application for the parking garage (CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) were submitted concurrently with CU2018-0017. The Conditional Use (CU2018-0017) is dependent upon Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) approval; therefore staff recommend a condition of approval requiring the approval of the Design Review Three, Replat Two, Loading Determination, Parking Determination, Sidewalk Design Modification and Tree Plan Two applications. No additional application or documents are needed at this time.

Therefore, staff finds that by meeting the conditions of approval, the criterion is met.

**Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **CU2018-0017 (PRCA and Garage)**, subject to the applicable conditions identified in Attachment J.

**CU2018-0018 (Garage – Parking as the Principal Use)  
ANALYSIS AND FINDINGS FOR  
CONDITIONAL USE APPROVAL**

**Section 40.03.1 Facilities Review Approval Criteria:**

*The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:*

**Facilities Review Approval Criteria Section 40.03.1.A-L**

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

**Therefore, the Committee finds that the proposal meets the criteria.**

**Section 40.15.15.3.C New Conditional Use Approval Criteria:**

*In order to approve a New Conditional Use application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

***1. The proposal satisfies the threshold requirements for a Conditional Use application.***

The proposed development includes a Parking use where parking is the principal use, which is a conditional use in the RC-TO zoning district pursuant to Section 20.20.20. Therefore, the facility is being reviewed as a New Conditional Use.

**40.15.15.3.A.1 Threshold:**

*1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.*

**Therefore, staff finds the proposal meets the criterion for approval.**

***2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fee associated with a New Conditional Use application.

**Therefore, staff finds the proposal meets the criterion for approval.**

***3. The proposal will comply with the applicable policies of the Comprehensive Plan.***

The applicant states that the proposal complies with the applicable Comprehensive Plan

policies, identified below.

***3.1.1.a) Emphasize pedestrian convenience and safety in all developments and transportation facilities***

The applicant's plans show that sidewalks, along both frontages, SW Rose Biggi Avenue and SW Crescent Street, will be improved to have a minimum width of 10 feet. The sidewalks are shown to connect to the surrounding pedestrian circulation system to the north as well as the proposed sidewalks adjacent to the PRCA to the east and a recently completed Crescent Connection shared-use path. Access to and from the Garage building, which includes ground floor commercial spaces, is provided directly to and from the adjacent sidewalks. The applicant's plans show direct and efficient pedestrian access is provided throughout the site. Sidewalks link all building entrances and outdoor plaza on the site.

***3.1.1.c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections to and through the development, including to reach nearby points of interest.***

The adjacent sections of SW Crescent Street and SW Rose Biggi Avenue, do not currently include delineated bicycle lanes. The applicant's plans do not show the addition of bike lanes to either right-of-way, however the applicant is proposing to include 22 short-term and 38 long-term shared bicycle parking spaces, in excess of Parking Ratio Requirements identified in Section 60.30.10.5.B of the Beaverton Development Code. Furthermore, shared-lane markings, also known as "sharrows", currently exist on both SW Crescent Street and SW Rose Biggi Avenue within the vicinity of the subject site. These sharrows help alert users of the road that it is a shared lane. Additionally, the Crescent Connection, a 12-foot wide shared-use path, located near the corner of SW Crescent Street and SW Hall Boulevard, will connect the proposed development to the Beaverton Transit Center on SW Lombard Avenue and to SW Cedar Hills Boulevard. As noted above, the applicant's plans show the construction of required sidewalks along SW Crescent Street, SW Rose Biggi Avenue, as well as connections to the existing surrounding pedestrian circulation system, in a safe, comfortable and direct manner.

***3.1.1.f) Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.***

The subject site is not directly adjacent to transit stops but it is located within close proximity to a MAX Blue Line platform, approximately 300 feet south. Access to the platform is provided in several ways, including sidewalks which lead pedestrians around the existing Lofts Condominiums, located between the subject site and transit platform, or through a passageway which connects SW Crescent to The Round plaza and ultimately the MAX platform.

***3.1.1.j) Encourage use of structured, underground, and or tuck-under parking for commercial, office, and multifamily development.***

Areas served well by transit, such as parking districts 1, 2, and 3 have reduced parking requirements. Retail and uses such as arenas, stadiums and movie theaters do not have a minimum parking requirement. Although the Development Code does not require vehicle parking spaces for the proposed Commercial Amusement use (see Attachment D – Design Review 3 herein), the applicant has commissioned a parking analysis to estimate the parking needs of the PRCA and proposed uses in the Garage. The proposed site of the Garage is currently used as a surface parking lot with 190 spaces. The Garage will provide a total of 354 spaces within a smaller footprint than the existing surface lot. To address the parking displaced by the proposal, 82 spaces in the garage will be reserved for residents of The Lofts condominiums as part of a private agreement.

***3.1.1.k) Encourage shared parking agreements in all areas with significant volumes of surface parking lots.***

As described in response to goal 3.1.1.j above, per Parking Ratio Requirements outlined in Section 60.30.10.6 of the Beaverton Development Code, parking is not required for the proposed uses. However, the applicant has submitted a Parking Determination – Shared Parking Agreement application concurrently with this application requesting the shared use of the Garage to allow the parking spaces in the Garage to be available to other off-site uses in the area, such as The Lofts condominiums.

***3.1.1.l) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.***

The Garage is anticipated to accommodate most of the automobiles associated with the use of the PRCA, however, the Garage is also proposed to be available to other uses in the district. As stated by the applicant's transportation consultant, Rick Williams Consulting, parking demand at peak hour exceeds the number of proposed parking stalls. The limited number of parking stalls, combined with the 60 bicycle spaces proposed and the proximity to a MAX light rail platform, the Garage is not anticipated to detract from the desirability of other modes.

***3.3.1.b) Conserve, protect and enhance natural resources identified in the city's adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.***

The subject site contains natural resource areas located east of the adjacent PRCA building. The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the analysis, the PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns. PHS further explains that the reduction in wetland area is believed to be the result of the construction of surface parking lots constructed in 2004, on land that was previously vacant, and water was allowed to flow freely toward Beaverton Creek. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS) in a Service Provider Letter, is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be

mitigated onsite.

***3.1.1.d) Wherever possible, allow resource areas to serve multiple purposes and acknowledge their multiple benefits.***

The applicant proposes to protect and enhance the majority of the natural resource area located on site. This enhanced Beaverton Creek area will be visually accessible from SW Hall Boulevard on the east and from the proposed PRCA plaza on the west which will provide new visual access to the area and provide a naturally occurring design element for the PRCA.

***3.6.1.a) Provide for a mix of commercial, residential, employment, and civic uses at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit.***

The proposed development features six levels of structured parking located above commercial spaces with direct access to the adjacent sidewalks which will provide a safe and efficient connection to the adjacent PRCA and its multiple uses. Additionally, the Garage will provide for the residential use (The Lofts) located south of the subject site by reserving a limited number of parking spaces for the residents. Furthermore, the applicant's plans show that the proposed sidewalks adjacent to the proposed Garage, will connect to the existing pedestrian circulation areas and streets, surrounding the project site, making the development accessible by various modes, including transit. The applicant states that the uses in the PRCA, as well as the Garage, have been envisioned as part of creating a vibrant Regional Center through a series of planning processes including, most recently, the adopted Creekside District Master Plan and Westgate Redevelopment Plan. Active uses coupled with transparency on the ground floor as well as stepped back portions of the upper levels of the Garage will contribute to the development's vibrancy.

***3.6.1.b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.***

The Garage proposes to mix uses vertically within a single building. Six levels of parking are proposed to be located above ground floor commercial spaces. Furthermore, the Garage is being reviewed concurrently with the adjacent PRCA which is also a multistory building. The PRCA is proposed to include a 550-seat performing arts theater, a lobby, multi-use event spaces, practice facilities, art gallery, presentation room, meeting spaces, lab studio, and outdoor plaza. Though the Conditional Use applications are being reviewed separately for the Garage and PRCA, the two buildings are proposed to share a lot, subject to the approval of LD2018-0032, a lot consolidation application being concurrently reviewed with this proposal. The applicant's plans show that entrances to the Garage and PRCA are within easy walking distance of one another.

***3.6.1.d) Pedestrian-oriented design is a priority within mixed-use areas. Pedestrian oriented design generally includes:***



***i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development.***

The applicant's plans show the Garage will be located next to or in close proximity to the adjacent sidewalk. The applicant proposes sidewalks at least 10 feet in width, which contribute to a pedestrian oriented design. Additionally, the applicant's plans show that the ground floor of the south facing facade is almost entirely composed of glass windows and doors. On the western elevation, glass windows and doors are also used, to the extent possible. The applicant's plans also demonstrate other design features that establish pedestrian interest, such as louvers on the upper levels, which the applicant explains help lighten the building and provide some massing relief, stepping portions of the upper levels of the building back, and providing artwork on larger surfaces of the building also serve to lighten the building and make it more interesting to pedestrians. Additionally, the applicant proposed a differentiated hardscape along SW Rose Biggie Avenue. The elevated pedestrian area provides visual interest as well as invites pedestrians to experience the retail and building frontage in a more intimate way.

***iii. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)***

The applicant's plans show right-of-way improvements that will provide sidewalks with a minimum width of 10 feet. Street trees are proposed along SW Rose Biggie Avenue and SW Crescent Street with the exception of an area designated for loading. Pedestrian protection will be provided in this area by removable bollards.

***3.6.2.b) New development, redevelopment, and public investments in this area should help make it a pedestrian-oriented and transit-friendly urban mixed-use center.***

The proposed PRCA is located within close proximity to the MAX Blue Line platform and is shown to integrate into the existing surrounding pedestrian circulation system. The applicant proposes 60 bicycle parking spaces, conveniently distributed around the PRCA, Garage and within the Garage. Access to the PRCA is direct and efficient and the proposed use, Commercial Amusement, will contribute to an urban mixed-use center.

***3.6.2.c) Ensure that redevelopment intensifies land use, with less land dedicated to surface parking and more land occupied by multistory buildings along walkable streets.***

The subject site is currently a surface parking lot with 190 spaces. The proposed Garage includes over 350 parking spaces with ground floor commercial space. The proposed Garage will intensify the site by providing more parking for the district while occupying less land and adding a commercial component that currently doesn't exist on the site. Furthermore, the applicant's plans show the multi-story building is located adjacent to or within close proximity to 10- to 20-foot sidewalks which further connect to an existing street system with sidewalks.

***3.6.2.f) Encourage an “18-hour” mix of uses, including retail, employment, civic, entertainment, and residential uses, to bring people downtown and generate activity throughout the day and evening.***

The proposed Garage is intended to support the mix of uses encouraged in this zoning district. The adjacent proposed PRCA is a 550-seat theater, which the applicant states is designed to attract acclaimed local, regional, and national performers and touring productions. The PRCA is expected to draw people from around the region which may not all be using transit to reach the site. The Garage will provide some relief to the surrounding street system from the anticipated parking demand. The Garage will also provide designated parking for residents of The Lofts, per a private agreement. Furthermore, the ground floor commercial spaces will generate additional activity in the area.

***3.6.2.h) Encourage higher intensity development near MAX and WES stations, creating mixed-use station communities that locate housing, jobs, and services near transit.***

The proposed Garage is located approximately 300 feet north of a MAX Blue Line station. The subject site currently serves as a surface parking lot. The Garage will intensify the use on the site, and accommodate visitors drawn to this area by the PRCA and other uses. The commercial spaces on the ground floor could accommodate a mix of uses that would serve the area.

***3.6.2.i) Ensure high-quality pedestrian-oriented design, especially along pedestrian routes, to create an environment that is enjoyable for pedestrians.***

The applicant's plans show the development will be located next to or within close proximity to the adjacent sidewalk, providing direct pedestrian access to the Garage. The applicant proposes sidewalks at least 10 feet in width, which contribute to a pedestrian oriented design and create a more enjoyable environment for pedestrians. Other design features that establish pedestrian interest are proposed, such as extensive use of windows on the ground floor, stepped back upper levels, and a differentiated pedestrian walkway along the western elevation.

***3.6.2.j) Ensure public realm improvements support the creation of a vibrant, pedestrian- and transit-oriented downtown and provide amenities that spur development.***

The applicant's plans show public realm improvements to the adjacent right-of-way, SW Crescent and SW Rose Biggi, support the creation of a vibrant, pedestrian- and transit-oriented downtown, by proposing wide sidewalks, pedestrian-minded design, and efficient access to transit amenities.

***3.6.2.k) Ensure that development at highly-visible locations that serve as “gateways” to the Central City has design features (e.g. height, mass, and building orientation) that enhance awareness of Central Beaverton.***

The Beaverton Comprehensive Plan does not currently identify specific “gateway”

locations. However, the centrally located Garage incorporates design features that enhance awareness of Central Beaverton. The proposed building mass and intensified use, are features indicative of a central city area. Though the proposed building is located within close proximity to the property line and adjacent right-of-ways, portions of the upper levels steps away from the property line, while bringing the ground floor commercial use spaces towards the public right-of-ways, particularly at the corner of SW Rose Biggi Avenue and SW Crescent Street. The extensive use of glazing on the ground floor of the garage enables transparency into commercial spaces and a wide sidewalk at this corner provides space for more pedestrian activity.

***3.6.2.l) The Downtown Regional Center designation is intended for areas within central Beaverton that have been designated in collaboration with Metro as a Regional Center in the Metro Regional Framework Plan and 2040 Growth Concept.***

Metro's 2040 Growth Concept shows this area as a Regional Center, the City's zoning of the site as Regional Center-Transit Oriented (RC-TO) is consistent with the 2040 Growth Concept Plan.

***7.1.1.a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.***

The applicant has submitted a Service Provider Letter from Clean Water Services.

***7.1.1.b) Where adverse impacts to Significant Natural Resources cannot be practicably avoided, require mitigation of the same resource type commensurate with the impact, at a location as close as possible to the impacted resource site.***

A wetland associated with Beaverton Creek is located on the subject site. The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the analysis, the PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns. PHS further explains that the reduction in wetland area is believed to be the result of the construction of surface parking lots constructed in 2004, on land that was previously vacant, and water was allowed to flow freely toward Beaverton Creek. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS) in a Service Provider Letter, is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite, in accordance with CWS requirements.

***7.1.1.c) Allow for relaxation of development standards to protect significant natural and historic resources. Such standards may include but are not limited to minimum setbacks, maximum building height, minimum street width, location of bicycle, pedestrian and multi-use paths, etc.***

The applicant has submitted several Engineering Design Manual exception requests to address the constrained right-of-way on SW Crescent Street and a symmetrical crown, as well as an exception to commercial driveway width standard.

***7.3.1.1.a) Inventoried natural resources shall be conserved, protected, enhanced or restored:***

- ***to retain the visual and scenic diversity of our community;***
- ***for their educational and recreational values;***
- ***to provide habitats for fish and wildlife in our urban area.***

***7.3.1.1.b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.***

In response to 'a' and 'b' above, the applicant's natural resource assessment indicates that the inventoried wetland, less than half an acre in size, does not meet the locally significant wetlands inventory criteria. Furthermore, the Oregon Department of State Lands has provided a response to the proposal, stating that a State permit will not be required (Exhibit 4.2). The applicant has submitted a Service Provider Letter from CWS which establishes a vegetated corridor between the sensitive area, containing the insignificant wetland, and the proposed development. The applicant's plans show protection and enhancement of the onsite natural resource area, with limited encroachment into the vegetated corridor proposed. When impacts to the vegetated corridor area are unavoidable, mitigation is proposed. The protected and enhanced Beaverton Creek, will remain visually accessible from SW Hall Boulevard, additionally the applicant's plans show the natural resource area will also be visually accessible from the PRCA plaza and building. The applicant's resource assessment states that overall, the project is anticipated to maintain existing fish and wildlife habitat but that the enhancement plantings will expand upon existing cover of native vegetation and vegetation structure, which will improve local habitat conditions.

***7.3.1.1.c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.***

The applicant's plans show that the significant portion of the existing natural resource area on the site will either be maintained or improved to CWS standards. The applicant's plans also demonstrate that the natural resource area will be an integral part of the overall site design, with large windows of the adjacent PRCA building oriented towards the creek and a plaza proposed abutting the natural area.

***7.3.1.1.e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and***

***Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.***

A Service Provider Letter from Clean Water Services has been obtained. The Site Development permit review process ensures compliance with all applicable natural resource requirements from agencies such as U.S. Army Corps of Engineers, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. The Oregon Department of State Lands has provided a written response to the proposal, indicating that a State permit will not be required (Exhibit 4.2).

***7.3.1.1.f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.***

A small portion of the proposed adjacent PRCA building encroaches into the adjacent vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area. The city's adopted Significant Natural Resources inventories identify natural resource areas on the subject site. The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the assessment, PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns believed to be attributed to the development of the existing parking lot and associated improvements. A Service Provider Letter (SPL) was obtained in 2002 (CWS File Number 1361) for construction of a parking lot and other improvements on the subject site. PHS explains that the limits of the vegetated corridor (VC) established during these prior projects, set the baseline for the VC associated with this proposal. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS), is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite.

***7.3.1.1.g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and "best management practices" are employed.***

A small portion of the proposed building encroaches into the adjacent vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area, as required by CWS. Furthermore, the proposed development is required to comply with CWS's Best Management Practices for erosion control and sediment control, as conditioned by CWS.

**7.3.1.1.h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.**

The applicant's plans do not indicate new roads or utilities proposed within the natural resource area. Both SW Hall and SW Crescent are existing right-of-ways, and utilities are proposed within the existing right-of-way. Despite additional right-of-way dedication, SW Crescent Street, located south of the resource area, will continue to be narrower than the standard for Collector streets. The applicant has requested an Engineering Design Manual exception to address the constrained right-of-way.

**7.3.2.1.a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.**

A small portion of the proposed building encroaches into the adjacent vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area, as required by CWS. Additionally, the applicant is required to enhance the onsite vegetated corridor to meet or exceed good corridor conditions, as defined by CWS.

**7.3.2.1.b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.**

A portion of Beaverton Creek is located on the subject site. A small portion of the proposed adjacent PRCA building encroaches into the vegetated corridor. The applicant's Service Provider Letter from CWS identifies approximately 367 square feet of permanent vegetated corridor encroachment and 750 square feet of onsite mitigation area, as required by CWS. The applicant's plans show that this Beaverton Creek area will be enhanced and incorporated into the overall site design of the proposal.

**7.3.2.1.a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.**

The applicant has submitted a natural resource assessment, conducted by Pacific Habitat

Services, Inc. (PHS), which includes a wetland delineation report. Within the analysis, PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns. PHS further explains that the reduction in wetland area is believed to be the result of the construction of surface parking lots constructed in 2004, on land that was previously vacant, and water was allowed to flow freely toward Beaverton Creek. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS) in a Service Provider Letter, is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite, in accordance with CWS requirements. Furthermore, the applicant's natural resource assessment indicates that the inventoried wetland does not meet the locally significant wetlands inventory criteria as it is less than half an acre in size. The Oregon Department of State Lands has provided a response to the proposal, stating that a State permit will not be required, as the proposal appears to avoid impacts to jurisdictional wetlands and waters (Exhibit 4.2).

***7.3.2.1.b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.***

As described above in response to goal 7.3.2.1.a, significant wetlands were not identified by PHS. However, a vegetated corridor has been established to protect the onsite portion of Beaverton Creek. The applicant's Service Provider Letter from CWS shows limited encroachment by the building is proposed therefore mitigation is also proposed and required.

***7.3.2.1.c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.***

The applicant has not submitted a Variance application concurrently with this application.

***8.4.1.a) Noise impacts shall be considered during development review processes.***

The ground floor of the Garage will accommodate shared areas internally, such as trash and pumps. Locating these ancillary uses internally can help alleviate some noise impacts. The applicant also explains that metal panels installed at the perimeter on the west and south sides of the building will assist in deflecting sound waves from within garage and mitigating peripheral noise transfer. In addition, full-height solid walls on the north and east sides of the building will limit sound in those directions. The applicant states that all exterior windows of PRCA will be insulated and double glazed. Noise from the PRCA's mechanical system will be mitigated by the architecture. Specifically, the west side air handling unit (AHU) is enclosed within the building envelope. Two additional AHUs are located on the north side of the building, away from the residences and businesses on the south side of SW Crescent Street, and are concealed behind a solid wall enclosure.

This area is intended to be an 18 hour neighborhood, allowing a mix of uses for extended

period of the day, as such the RC-TO zoning district does not have hours of operations limits for uses within the district. However, the City's noise ordinance will still be applicable to the proposed use. Staff finds that noise impacts have been adequately addressed and are appropriate for the proposed use in the proposed zoning district.

***8.7.1.a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.***

***8.7.1.b) Development shall be prohibited in the floodway, except as necessary for the placement of roadways, utilities, stormwater conveyance, bridges, culverts, and grading related to public utility projects as permitted by the appropriate implementing ordinances.***

***8.7.1.c) Construction within the floodfringe shall be regulated through the City's implementing ordinances, such as the City's Engineering Design Manual and Standard Drawings.***

In response to a-c above, the subject site is affected by a FEMA (Federal Emergency Management Agency) designated floodplain and floodway. Development is not proposed within the floodway the applicant's plans show that the proposed building will be elevated two feet above the Base Flood Elevation. The proposal has been reviewed by the City's Floodplain Manager, Jim Duggan and by Clean Water Services, who has issued a Service Provider Letter acknowledging the proposed development.

**Therefore, staff finds the proposal meets the criterion for approval.**

***4. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.***

The project site is currently relatively flat and serves as a surface parking lot. The eastern portion of the site contains Beaverton Creek but limited encroachment into this natural area is proposed to accommodate the adjacent PRCA building. The applicant states that given natural resources to the east and north of the subject site, private property to the north, and streets to the east (SW Hall Boulevard), south (SW Crescent Street), and west (SW Rose Biggi Avenue), the proposed development is optimizing its efficient use of the site. Lot coverage appropriate for an urban core area is proposed while allowing for open space, primarily plaza-type seating and gathering space in the setback area of the Garage.

**Therefore, staff finds the proposal meets the criterion for approval.**

***5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.***

The project site is situated in the center of the RC-TO District and is surrounded by RC-TO



zoning on all sides. As stated in Section 20.20.10, the purpose of this district is “to promote a transit-supportive multiple use land use pattern.” The applicant states that the Garage provides parking for residential, commercial, and civic uses, in a dense multi-story format, consistent with the goals set in the Beaverton Regional Center Community Plan which aim to make the Regional Center into “Downtown” Beaverton and, as such, to make it a focus of “commerce, high-density housing, and civic activities.” The proposed PRCA and district serving Garage, are uses envisioned for the area, as described in the Creekside Master Plan. The construction of the district garage allows for less surface parking in the area, thereby making more land available for the type of dense urban development envisioned in this district.

The proposed Garage building (approximately 75 feet at the highest point) is well within the maximum height standard of 120 feet in the RC-TO district. The applicant explains that the building accommodates multiple uses (including needed parking) in an efficient manner and has articulated and stepped-back surfaces to offset the bulk of the buildings. Notably, the Garage uses horizontal louvers to increase transparency while providing screening, and, the applicant states, commissioned artwork on the building’s northern wall, and on the corner of SW Crescent and SW Rose Biggi, will complement the arts focused PRCA, as well as provide visual interest in general, and break up a larger surface on the Garage. The ground floor of the Garage offers retail spaces with floor-to-ceiling windows and a wraparound awning.

The primary function of the Garage will provide parking needed (but not required) for the PRCA, the condominiums in The Round (The Lofts), and Beaverton Central in general. The applicant further states that locating a parking garage on the project site is consistent with land use approvals and plans for The Round dating back to 1997.

Staff find that the size, location and functional characteristics of the proposal are reasonably compatible with and have minimal impact on surrounding uses.

**Therefore, staff finds that by meeting the conditions of approval, the criterion is met.**

**6. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for New Conditional Use approval. An additional Conditional Use application for the PRCA (CU2018-0017), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) were submitted concurrently with CU2018-0018. The Conditional Use (CU2018-0018) is dependent upon Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) approval; therefore staff recommend a condition of approval requiring the approval of the Design Review Three, Replat Two, Loading Determination, Parking Determination, Sidewalk Design Modification and Tree Plan Two applications. No additional application or documents are needed at this time.

**Therefore, staff finds that by meeting the conditions of approval, the criterion is met.**

**Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **CU2018-0018 (PRCA and Garage)**, subject to the applicable conditions identified in Attachment J.

**DR2018-0123  
ANALYSIS AND FINDINGS FOR  
DESIGN REVIEW THREE APPROVAL**

**Section 40.03.1 Facilities Review Approval Criteria:**

*The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:*

**Facilities Review Approval Criteria Section 40.03.1.A-L**

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

**Therefore, the Committee finds that the proposal meets the criteria.**

**Planning Commission Standards for Approval:**

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

**Section 40.20.15.3.C Approval Criteria:** In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

**1. *The proposal satisfies the threshold requirements for a Design Review Three application.***

The applicant proposes to construct two non-residential buildings in the RC-TO zone. The proposed center for the arts is approximately 43,235 square feet and the proposed garage is approximately 156,500 square feet. The total floor area exceeds 50,000 gross square feet of non-residential floor area and the development does not abut any Residential zoning district. The proposal meets threshold 1 for a Design Review Three application.

*1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district.*

**Therefore, staff finds that the criterion is met.**

**2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fees for a Design Review Three application.

**Therefore, staff finds that the criterion is met.**

- 3. *For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

Staff cites the Design Guidelines Analysis at the end of this Design Review section, which evaluates the project as it relates the applicable Design Review Guidelines found in Section 60.05 of the Development Code. Staff reviews each Guideline with respect to the applicability of the Guideline to the project, the applicant's response, and illustrative representation of the proposal. Staff provides an evaluation of the proposal in relation to the Guideline and a statement as to whether the Guideline is met below. Staff finds that the proposal meets the Guidelines, subject to the conditions of approval.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

- 4. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:***

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or***
- b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or***
- c. The location of the existing structure to be modified is more than 300 feet from a public street.***

The project proposal is a new development. Therefore, this criterion, which pertains to additions or modification of existing development, does not apply.

**Therefore, staff finds the criterion is not applicable.**

- 5. *For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

**Therefore, staff finds the criterion is not applicable.**

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; March 2010]***

The proposal does not meet threshold 7 or 8, therefore this criterion is not applicable.

**Therefore, staff finds the criterion is not applicable.**

7. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is applying to instead meet the applicable Design Guideline(s).***

The proposal does not meet threshold 7 or 8, therefore this criterion is not applicable.

**Therefore, staff finds the criterion is not applicable.**

8. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for Design Review Three (DR2018-0123) approval. A Conditional Use application for the PRCA (CU2018-0017), a Conditional Use for the Garage (CU2018-0018), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) were submitted concurrently with DR2018-0123. The Design Review Three (DR2018-0123) is dependent upon Conditional Use (CU2018-0017), Conditional Use (CU2018-0018), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) approval; therefore staff recommend a condition of approval requiring the approval of the two Conditional Use applications, Replat Two, Loading Determination, Parking Determination, Sidewalk Design Modification and Tree Plan Two applications. No additional application or documents are needed at this time.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

### **Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **DR2018-0123 PRCA and Garage** subject to the applicable conditions identified in Attachment J.

## DESIGN REVIEW GUIDELINES ANALYSIS

In the following analysis, staff have only identified the Design Guidelines which are relevant to the subject development proposal. Non-relevant Guidelines have been omitted.

**60.05.35 *Building Design and Orientation Guidelines.*** *Unless otherwise noted, all guidelines apply in all zoning districts.*

### **1. *Building Elevation Design Through Articulation and Variety***

*B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standard 60.05.15.1.A and B)*

PRCA: The applicant states that visual interest is provided in a variety of ways. The proposed lab studio space on the second floor of the PRCA is shown to project over the ground floor on the southern elevation. The Presentation Room, on the first level, is located in the southeast corner of the proposed building, adjacent to the plaza and SW Crescent Street. This room, under a cantilever, will be both physically and visually accessible as a result of large windows on both the east and south side of the room. The applicant states that these cantilevers provide articulation, visual interest as well as covered areas that will offer shade. The southern elevation of the PRCA responds to the curvature of SW Crescent Street, with wall plane changes and deviations from 90-degree corners. The applicant describes the cantilevered design of the Administrative Suite at the southeast corner of the building as providing a strong gesture towards SW Hall Boulevard with views to the plaza and creek below.

The PRCA includes a two-level lobby which the applicant explains will visually connect to SW Crescent Street and to the plaza and creek through expansive two-story wood-framed window wall along the south and east facades and will serve as a beacon in the evenings to people traveling along SW Crescent Street and SW Hall Boulevard.

Additional variation in architectural elements is provided through the 60-foot-tall fly tower at the west end of the building against the Garage, which the applicant states provides a meaningful transition through building massing between the predominantly two-story PRCA and the taller Garage. The applicant's plans demonstrate three different roof heights, ascending in the direction of the garage.

Four primary materials are proposed for the PRCA; white with a variegated texture composite cement panel cladding, warm grey iridescent composite metal cladding, composite wood cladding, and glass window systems. The applicant states that these materials are carefully placed to highlight and accentuate the articulation of the buildings massing, cantilevered forms, and vertical elements.

The applicant continues to explain that all spaces facing SW Crescent Street, including the entry façade to the Lobby, Gallery, and Presentation Room, Lab Studio, and

Administrative Suite incorporate exterior aluminum storefront window systems with a white finish on the mullions to correspond with adjacent exterior white composite cement panel cladding. The two-story Lobby wall facing the plaza and creek will have a wood-framed window system with white finish on exterior snap caps.

Garage:

The applicant's plans depict a parking garage with ground-floor commercial spaces. The ground floor commercial. The applicant states that the ground floor has been developed to be pedestrian-oriented, including the transparency of windows and canopy to provide human scale. The maximized glazing area offers visual interest to pedestrians and supports active uses. The six levels of parking above the ground floor commercial space of the Garage, will be articulated with a series of louvers on the south and west facades. The applicant explains that the louvers will provide visual interest and impact while maintaining an open and airy environment for user comfort. The louvers provide visual screening of the parked cars, the applicant states that the layout and placement of the louvers minimizes overall scale impact of the facades.

The north wall of the garage is currently mostly undifferentiated. However, the applicant states that the north wall will be detailed with artwork. Exact artwork has yet to be proposed but the selection will have to be approved by the Beaverton Art's Commission. Staff recommends a condition of approval requiring the applicant submit proof of artwork approval for the north wall of the parking garage and that the artwork cover a minimum area of the wall and require some articulation to satisfy this Design Guideline. Alternatively, if the approval is not provided for the artwork on the subject wall, the applicant will be required to submit revised plans demonstrating compliance with applicable design standards or guidelines.

Staff finds that sufficient articulation and variety are provided.

**Therefore, staff finds that by meeting the condition of approval, the Guideline is met.**

*C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)*

PRCA: The horizontal features on the southern elevation of the proposed PRCA are countered by a two-level lobby and studio lab spaces on the second level that cantilever above the gallery area below. The applicant explains that the two-level lobby will also visually invite pedestrians into the lobby through the main entry vestibule adjacent to the Box Office. The applicant states that the 60-foot fly tower and 40-tall Theater House offer the vertical building elements for balancing the horizontality of the PRCA on the eastern elevation.

Garage: The applicant states that the Garage facades are enhanced with several vertical elements, including a vertical circulation tower and custom perforated art panels located on the corner of SW Rose Biggi Avenue and SW Crescent Street, as well as on a portion of the northern wall. Additionally, the applicant's plans show that the pedestrian entrances on the ground floor of the garage are emphasized through the use of increased

transparency and a projecting canopy.

Staff concurs that building entrances are adequately emphasized.

**Therefore, staff finds the Guideline is met.**

*D. Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B)*

PRCA: A proposed open plaza in the southeastern corner of the site, transitions into a wide sidewalk adjacent to the PRCA. The highest points of the PRCA are located away from the adjacent right-of-way, therefore, pedestrians maneuvering around the PRCA will experience a pedestrian scale, two-story building. Furthermore, the applicant explains that maximum visual transparency at the pedestrian level, articulation of interior uses (e.g., Lab Studio and Administrative Suite on the second level and Gallery, Lobby, and Presentation Room on the ground level) as distinct architectural elements, and cantilevers that provide protection from the elements, will all contribute to creating an inviting pedestrian experience.

Garage: The wide sidewalk adjacent to the PRCA continues along the Garage elevations to provide continuity in the pedestrian experience. The applicant explains that the public access and sidewalk areas at the intersection of SW Crescent Street and SW Rose Biggie Avenue – a “100% corner” where these two Class 1 Major Pedestrian Routes intersect – have been intentionally oversized to create a plaza feel. Similar to increased transparency on the ground level of the PRCA, the Garage transparency, provided by glazing at the ground level and louvers on the upper levels, help lighten the building and provide some massing relief. Furthermore, the applicant states that by stepping the upper levels of the building back, varying building massing, and providing artwork on larger surfaces of the building also serve to lighten the building and make it more comfortable and interesting to pedestrians. Additionally, the applicant proposed a differentiated hardscape along SW Rose Biggie Avenue. The elevated pedestrian area provides visual interest as well as invites pedestrians to experience the retail and building frontage in a more intimate way.

Staff concurs that the buildings promote a comfortable pedestrian scale.

**Therefore, staff finds that the Guideline is met.**

*E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D)*



PRCA: The applicant states that walls on the primary elevations (east and west) facing SW Crescent Street, SW Hall Boulevard, and the PRCA plaza are differentiated by a combination of roof overhangs, cantilevered volumes, abundant glazing, and material textures that reflect and reveal the building's structural system. The applicant's plans show that restrooms and dressing rooms are located on the ground-level of the PRCA along the northern elevation. Restrooms are also located in the same area on the second level along with storage, amplifier and mechanical rooms, limiting the practicality of windows in these areas on the northern elevation. However, the applicant's plans also show off-setting walls along the northern elevation which reflect the building's internal structural system. The cantilevered second level, which projects into the plaza, also acts as an articulated architectural element, featuring windows, of the northern elevation.

Garage: The applicant states that the Garage elevations are differentiated through the use of façade treatments including paneled horizontal louvered articulations, in addition to vertical perforated art panels (public art to be solicited through the Beaverton Arts Commission). The applicant explains that this articulation of the art panels will create visual interest from nearby and distant perspectives and that differing solar angles throughout the day and seasons will create a spectrum of varied shadow interplay on the facades, to enhance the visual interest of the facades throughout the day and the year.

The applicant's plans show that the Garage is within approximately one foot of the northern property line, therefore, the applicant explains, wall openings are not allowed due to Building Code for fire protection. Furthermore, the RC-TO (Downtown Regional Center – Transit Oriented) is intended for land-intensive development, therefore setbacks are reduced and building heights increased. There are no minimum setback requirements in this zone if the development is not abutting residentially zoned property. Therefore, the applicant is permitted to site the building at the property line, per the Development Code Development Standards found in Section 20.20.15. In an effort to address both the Development Code Design Guidelines as well as the Building Code requirements, to create visual interest on this wall, the applicant proposes to treat the wall with public art, to be selected by the Beaverton Arts Commission (BAC). The applicant states that the artwork on the northern garage wall will be part of a public art master plan, to be overseen by a Lead Artist.

Though specific artwork is not proposed at this time, the applicant states the preliminary concept is to cover, at minimum, 30 percent of the north wall with artwork, with a design to be determined by the artist and approved by the BAC. The applicant further states that the recommended approach for the north wall will offer dimensionality and will ideally be reversible so that the artwork may be easily re-sited should the property immediately north of the garage be redeveloped in such a way as to visually obstruct the art. The art will be of durable materials and finishes to resist environmental conditions.

As aforementioned, staff recommend a condition of approval requiring the applicant submit proof of artwork approval, demonstrating at least 30 percent of the northern elevation of the Garage is treated with the artwork which includes projecting elements, prior to building permit issuance.

Staff concurs that the elevations facing public streets and major parking areas are

adequately emphasized.

**Therefore, staff finds that by meeting the conditions of approval, the Guideline is met.**

## **2. Roof Forms as Unifying Elements**

*A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be highlighted. (Standards 60.05.15.2.A and B)*

PRCA: The applicant states that the PRCA roofs are sloped at ¼"/foot with white, single-ply membrane roofing, considered flat roofs for the purpose of applying Design Guidelines. The applicant also states that all parapet heights, including the two-story height (at just under 30 feet) of all elevations visible from the plaza, Crescent Street, and Hall Boulevard extend vertically above the rooftop surface and therefore the PRCA's rooftop surface will not be visible from the vantage of pedestrians at street level or in the plaza. The applicant's plans demonstrate that offsetting walls provide additional variety to roof forms as well as the fly tower and theater house which are recessed to highlight focal points of the building such as the primary entrance, gallery space and presentation room that prominently projects into the plaza.

Garage: The applicant states that the Garage building is unique in that it technically does not have a roof in the traditional sense. The Garage includes rooftop parking, and therefore the parking surface on the top level acts as the roof, providing weather protection to the levels underneath. A distinctive louver pattern is featured on every parking level of the garage, including the last level, providing a decorative feature to the top of the building. The proposed louver pattern is not solid and therefore contrast is established against the negative space in the background. From the SW Crescent Street view, the roof line is differentiated by an internal stairwell with a glass enclosed entrance that projects above the roofline. To the east of the stairwell, the elevator system for the garage also projects above the louvers, breaking up the roofline. From the SW Rose Biggi Avenue view, the roofline slopes towards the SW Rose Biggie and SW Crescent corner. The proposed perforated metal at this corner extends upward to the top level, breaking up the louver pattern. The applicant explains that artwork is anticipated on the perforated metal as well. An additional stairwell on the western elevation of the garage interrupts the louver pattern, adding variety to the roofline. Furthermore, the applicant explains that a latticed steel array located around the edge of the roof level has been designed to accommodate a solar photovoltaic system.

The applicant's plans demonstrate, how the proposed PRCA and Garage roof forms address this Guideline, given the unique nature of the buildings and their uses, specifically, how the roof form is distinctive, includes variety and detail when viewed from the street.

**Therefore, staff finds that this Guideline is met.**

*B. Flat roofs should include distinctive cornice treatments. (Standard 60.05.15.2.C)*

PRCA: The applicant states that the PRCA roofs are perceptually flat, although they will be sloped with minimum required slopes in order to drain. Further, the applicant explains that deeply cantilevered roof overhangs on the PRCA create cornices on the north, east and south sides of the building.

Garage: As described in response to Guideline 2.A. above, the Garage features a distinctive louver pattern on every parking level, including the last level, providing a decorative element to the top of the building. The proposed louver pattern is not solid and therefore provides contrast against the negative space in the background.

The applicant's response and plans demonstrate that the design elements incorporated into the flat roofs on both the Garage and PRCA respond to this Guideline in a manner consistent with the intent of the cornice treatment and while still appropriate for the building style.

**Therefore, staff finds that this Guideline is met.**

### **3. *Primary building entrances***

*A. The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3)*

PRCA: The applicant's plans show the second level of the PRCA will cantilever over the sidewalk and plaza, providing covered areas that will offer both shade from late morning and afternoon sun and protection from rain. The applicant further explains that the roof-level overhangs at the Level 2 Studio and Lobby (both south and east-facing facades) provide additional protection from sun and rain. In particular, the deep setback of the south-facing two-story Lobby façade allows for a deep roof overhang to mitigate direct sun during warmer seasons.

The applicant states that a lower canopy extends from what will be either an exterior box office window or window display cabinet to the main entry vestibule. Additionally, at the V.I.P. Entry adjacent to the southwest stair core, a low canopy extends over the entry door.

Garage: The applicant's plans show there is a continuous canopy along the pedestrian access frontages on the south and west facades of the Garage. The applicant states that the canopy varies in depth, but is typically 4 feet from the face of building. Additionally, there is a public lobby at the southeast corner of the Garage, which also offers pedestrian

protection.

Staff concurs that adequate pedestrian protection is provided at building entrances.

**Therefore, staff finds the Guideline is met.**

- B. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3.B)*

PRCA: The applicant states that the massing of the Lab Studio and Administrative Suite on the second floor opens up toward the middle of the south elevation into a two-story window wall with an expansive view into the Lobby. The applicant's plans show that within this window wall, the transparent Main Entry Vestibule is framed by the Box Office to the east (clad in composite cement panels with a mix of various grey tones), the cool white composite cement panel and warm grey composite metal-clad volume of the west Administrative Suite above, and a low canopy that extends from the exterior transaction window of the Box Office to the Main Entry vestibule.

Garage: The garage features ground floor commercial spaces, along the southern facing elevation, and approximately half of the western facing ground floor elevation. Entrances to ancillary spaces for shared electrical, shared trash and shared bike storage areas are also provided along the Garage's western ground floor elevation. The retail uses will be accessed through individual primary entrances on SW Crescent Street and SW Rose Biggi Avenue. A public lobby for the Garage elevator's and stairs is also accessed from SW Crescent Street. The applicant states that all of these primary entrances will feature double glass doors with canopies.

Staff concurs that the primary building entrances are attractive and functional and incorporate changes in mass to provide emphasis.

**Therefore, staff finds the Guideline is met.**

#### **4. Exterior Building Materials**

- A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standard 60.05.15.4.A)*

PRCA: The applicant states, four primary exterior materials – white variegated texture composite cement cladding, warm grey iridescent composite metal cladding, composite wood cladding, and a combination of aluminum-framed and wood-framed glass window systems – will be carefully placed to accentuate the articulation of the buildings massing, cantilevered forms, and vertical elements. The applicant further states that the composite nature of all these materials makes them strong and durable. Windows are prominently and appropriately used providing large open views into the PRCA areas such as the two-

story Lobby, Presentation Room and Gallery. An aluminum storefront window system faces SW Crescent Street. The east and north facades of the Lobby include wood-framed windows.

Garage: The applicant states exterior façade treatments will be of durable materials, including metal louvers and metal panels, constructed on an exposed steel framework. Retail frontage will consist of high-bay/full-height glazing walls to maximize visual access into building interiors.

Staff concurs that the proposed materials convey an impression of permanence and durability and provide adequate views into interior areas.

**Therefore, staff finds the Guideline is met.**

*B. Where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be considered, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to developments in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C)*

Masonry is not proposed for the PRCA or Garage.

**Therefore, staff finds the Guideline is not applicable.**

- 5. Screening of Equipment.** *All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)*

PRCA: The application states rooftop mechanical units on the north side of the PRCA building will be screened from view by screen walls that are an extension, in terms of massing and materiality, of the walls below. The applicant's plans also show that the shared trash area will be located internally within the Garage.

Garage: The applicant states, Due to the open nature of the Garage, mechanical ventilation is not required and rooftop mounted equipment is not needed. One small exterior air intake unit will be located approximately 70 feet back from the screen wall and will be well below view lines.

Should any future rooftop units be proposed the units will be reviewed for compliance with Design Review Standards. Staff concur that the mechanical equipment can be adequately screened.

**Therefore, staff finds the Guideline is met.**

**6. Building Location and Orientation in Commercial and Multiple Use Zones.**

*A. Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings. (Standard 60.05.15.6.A and B)*

PRCA: The applicant's plans show that both the PRCA and the Garage are located within close proximity to public streets. The PRCA is constrained by natural resources located at the corner of SW Hall Boulevard and SW Crescent, therefore limiting the PRCA's ability to be located closer to that intersection. However, the openness created by protecting the natural resources in that area, and the proposed plaza, allows the architecture of the PRCA to establish an overall predominate impression. The applicant explains that the PRCA has been designed to make the most efficient use of its footprint given the project site's size, shape, and constraints including natural resources to the north and east, the street to the south, and the proposed Garage to the west.

Garage: As with the PRCA, the Garage is located in close proximity to public streets. The ground floor commercial spaces of the Garage are located at the intersection of two public streets, SW Crescent Street and SW Rose Biggi Avenue. The wide adjacent sidewalks provide direct pedestrian access to these ground floor commercial spaces as well as access to Garage stair cases and elevators. Vehicular access to the Garage is provided directly from SW Rose Biggi Avenue. The applicant states that the Garage's architecture is the focal point with high glazing and transparency on the ground floor, airy and semi-transparent louvers on the upper floors, and commissioned artwork on its larger open surfaces. Landscaping (street trees and planters) will be used to complement the building, the plaza-like corner, and address grade issues on the site. The applicant explains that the Garage has also been designed to make the most efficient use of its footprint given the project site's size, shape, and constraints including natural resources, streets to the west and south, and the proposed PRCA to the east.

Staff finds that the PRCA and Garage locations are located in close proximity to public streets and where possible, to public intersections. Though the proposal includes a parking garage, staff find the architecture of the Garage and the PRCA impose a dominate impression over parking and landscaping areas.

**Therefore, staff finds the Guideline is met.**

*B. On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standards 60.05.15.6.B and D)*

PRCA: The PRCA is not located at the intersection of two streets. Therefore, this Guideline is not applicable.

Garage: The applicant's plans show the Garage is to be located at the intersection of SW Crescent and SW Rose Biggi Avenue. The applicant's plans also demonstrate that the ground floor commercial spaces will include a glass door to the commercial space near the corner of the building. The applicant also explains that the sidewalk at this corner will be wide and plaza-like to support activity and vibrancy at this intersection.

Staff finds that the multi-use Garage will provide an entrance near the corner of the building.

**Therefore, staff finds the Guideline is met.**

*C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D)*

PRCA: Public building entrances for PRCA will provide direct access to the adjacent sidewalk and street of SW Crescent Street. One PRCA entrance will open onto the plaza to the east of the building, which will connect to the sidewalk on SW Crescent Street.

Garage: Public building entrances for the Garage will directly access the sidewalk and streets of SW Rose Biggi Avenue and SW Crescent Street.

**Therefore, staff finds the Guideline is met.**

*D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E)*

PRCA: The applicant's plans demonstrate that the primary entrance to the PRCA is oriented towards and located in close proximity to SW Crescent, a public street.

Garage: The Garage includes ground floor commercial spaces which will have their primary entrances oriented towards the two adjacent public streets, SW Rose Biggi Avenue and SW Crescent Street. The other primary pedestrian entrance in the Garage building is for elevator and stair access to the parking located above the ground floor commercial spaces. The primary pedestrian entrance to the garage is provided directly from SW Crescent Street, a public street. The primary vehicular access to the Garage is directly from the adjacent street, SW Rose Biggi Avenue.

**Therefore, staff finds the Guideline is met.**

## **7. Building scale along Major Pedestrian Routes.**

*A. Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where detached single family dwellings are permitted. (Standards 60.05.15.7.A and B)*

PRCA and Garage: The applicant's plans demonstrate that neither the PRCA nor Garage are low height, single story buildings.

**Therefore, staff finds the Guideline is met.**

*B. Building heights at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A)*

PRCA: The applicant states that PRCA's differentiated two-story building is pedestrian scale and will provide a sense of enclosure and interest at the street level. As demonstrated on the applicant's plans, taller building elements, including the Fly Tower are stepped back from the street.

Garage: The applicant plans show that portions of the upper floors of the Garage (parking levels) will be stepped back from the ground floor and will have a semi-transparent skin. Furthermore, the applicant's plans show that the tallest building element – the elevator tower, is set back even further from the street.

**Therefore, staff finds the Guideline is met.**

## **8. Ground Floor Elevations on Commercial and Multiple Use Buildings.**

*A. Excluding residential only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes. (Standard 60.05.15.8.A)*

PRCA: The applicant's plans prominently feature the use of windows and glass doorways on the first two stories, oriented towards the adjacent streets.

Garage: The applicant's plans show that the ground floor of the south facing facade is almost entirely composed of glass windows and doors. On the western elevation, glass windows and doors are also used, to the extent possible. Entrances to shared spaces such as the trash, electrical and loading areas are screened from view therefore the use of glass is limited in these areas.

Staff concurs that the ground floor elevations are pedestrian oriented and treated with windows and glass doorways.

**Therefore, staff finds the Guideline is met.**

*B. Except those used exclusively for residential use, ground floor elevations that are*



*located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)*

PRCA: The applicant's plans show the use of cantilevers and canopies above the primary entrance and along some sections of the southern and eastern facing elevations. These features will provide weather protection for pedestrians.

Garage: The applicant's plans show a canopy wrapping around the southwest corner of the Garage, providing weather protection to pedestrians, especially those that are using the ground floor commercial spaces.

Staff concurs that pedestrian weather protection is provided on the ground floor elevations.

**Therefore, staff finds the Guideline is met.**

**60.05.40. *Circulation and Parking Design Guidelines.* Unless otherwise noted, all guidelines apply in all zoning districts.**

- 1. *Connections to public street system.*** *Connections to public street system. The on-site pedestrian, bicycle, and motor vehicle circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1)*

PRCA: The PRCA connects directly to the surrounding street system.

Garage: The applicant's plans show that the vehicular parking and circulation system in the Garage connects directly to the abutting street system. Pedestrian connections are also directly provided to both SW Rose Biggi and SW Crescent Street. The plans demonstrate that access is provided in an efficient manner.

PRCA and Garage: The applicant states that new connections are not called for in the Comprehensive Plan (applicant's materials: Tables 6.1 through 6.6 and Figure 6.13) on or adjacent to the project site. However, connectivity and circulation plans are provided for the site and its vicinity in the Creekside District Master Plan and Westgate Redevelopment Plan (applicant's materials: Exhibit M), and the proposed development is consistent with these plans.

**Therefore, staff finds that the Guideline is met.**

**2. *Loading area, solid waste facilities, and similar improvements.***

- A. *On-site service, storage and similar activities should be designed and located so that***

*these facilities are screened from an abutting public street. (Standard 60.05.20.2)*

PRCA and Garage: Service, storage and other similar activities are all shown to be located internally and screened from abutting public streets. Staff concurs that the on-site service, storage, trash and loading areas are adequately screened from public view.

**Therefore, staff finds the Guideline is met.**

*B. Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2)*

PRCA and Garage: The applicant's plans show that the loading areas for the PRCA and Garage are located within the ground floor of the garage. Staff finds that the location of the proposed loading areas, set inside the building, will provide sufficient screening.

**Therefore, staff finds the Guideline is met.**

### **3. Pedestrian circulation.**

*A. Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)*

PRCA: The applicant's plans demonstrate that the PRCA building and Garage are connected via the sidewalk on SW Crescent Street. The applicant states that the PRCA plaza provides a pedestrian connection to the Beaverton Creek natural area.

Garage: The Garage building entrances, including pedestrian access points to the parking, and PRCA building entrances are connected via sidewalks on SW Rose Biggi Avenue and SW Crescent Street.

Staff finds that adequate pedestrian connections are made.

**Therefore, staff finds that the Guideline is met.**

*B. Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)*

PRCA and Garage: Both the PRCA and Garage are located within close proximity to the adjacent rights-of-way, SW Rose Biggi Avenue and SW Crescent Street. The applicant's plans show that direct access is provided along both elevations to the adjacent street system. The proposed plaza is immediately adjacent to the sidewalk and connects to the surrounding pedestrian facilities, including a shared-use path.

Staff finds that sufficient pedestrian connections to adjacent streets and pedestrian

facilities are provided.

**Therefore, staff finds that the Guideline is met.**

*C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)*

PRCA: The applicant states that the PRCA entrances connect directly to the SW Crescent Street sidewalk and street, which also serve as part of the Crescent Connection shared-use path for this portion of the path, and to a pedestrian plaza on the east side of the building.

Garage: The applicant states that the garage entrances connect directly to SW Rose Biggi Avenue and SW Crescent Street sidewalks and streets, which also serve as part of the Crescent Connection shared-use path for this portion of the path.

Staff finds that pedestrian connections link building entrances to nearby streets and other pedestrian destination.

**Therefore, staff finds that the Guideline is met.**

*D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standard 60.05.20.3.C through E)*

PRCA and Garage: The applicant's plans show that there are not parking areas that pedestrians need to travel through in order to reach the sidewalks and streets.

**Therefore, staff finds that this Guideline is not applicable.**

*E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.3.A through H)*

PRCA: The applicant's plans show that the PRCA connects directly to the SW Crescent Street sidewalk and street. The applicant explains that the sidewalk is designed for a high level of pedestrian activity in that it ranges from approximately 10 feet to more than 20 feet in width, allowing for a high volume of pedestrians, and will offer opportunities for seating, other street furniture, and gathering space. The plaza to the east of PRCA will provide ample space for circulating, seating, and gathering.

Garage: The Garage building also connects directly to the adjacent streets and sidewalks on SW Rose Biggi Avenue and SW Crescent Street. Like the PRCA, the applicant states that the sidewalks are designed for a high level of pedestrian activity in that they will be from a minimum of 10 feet to more than 20 feet in width and, particularly around the intersection of SW Rose Biggi and SW Crescent Street, will offer opportunities for seating,

other pedestrian-oriented street furniture, and general pedestrian activity.

Staff concurs that adequate pedestrian facilities are provided.

**Therefore, staff finds the Guideline is met.**

*F. Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)*

PRCA and Garage: The applicant states that the proposed pedestrian access to the surrounding sidewalk and path system is direct and safe on flat, stepped, or ramped surfaces. Durable materials (scored concrete) are planned for these surfaces.

Staff concurs that the applicant has proposed safe and durable pedestrian connections.

**Therefore, staff finds the Guideline is met.**

- 4. *Street frontages and parking areas.* Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)**

PRCA and Garage: Surface parking areas are not proposed.

**Therefore, staff finds that the Guideline is not applicable.**

- 5. *Parking area landscaping.* Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standard 60.05.20.5.A through D)**

PRCA and Garage: Parking is proposed on the upper levels of the Garage, however, screening will be provided through the use of louvers. Screening provided through landscaping and trees is not proposed and is impractical for above ground floor parking areas.

**Therefore, staff finds the Guideline is not applicable.**

- 6. *Off-Street parking frontages in Multiple Use zones.***

*A. Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes. (Standard 60.05.20.6)*

*C. Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification. (Standard 60.05.20.6)*

PRCA and Garage: A surface parking lot is not proposed.

**Therefore, staff finds the Guideline is not applicable.**

**7. Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.**

*A. Pedestrians connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)*

PRCA: The applicant's plans show that the PRCA connects directly to the SW Crescent Street sidewalk and street. The applicant states that the sidewalk is designed for a high level of pedestrian activity in that it ranges from approximately 10 feet to more than 20 feet in width, which will allow for a high volume of pedestrians, and will offer opportunities for seating, other street furniture, and mingling/gathering space.

Garage: The Garage building connects directly to SW Rose Biggi Avenue and SW Crescent Street sidewalks and street. The applicant explains that the sidewalks are designed for a high level of pedestrian activity in that they are from a minimum of 10 feet to more than 20 feet in width and, particularly around the intersection of SW Rose Biggi and SW Crescent Street, will offer opportunities for seating, other pedestrian-oriented street furniture, and general pedestrian activity.

Staff finds that the sidewalk is designed for high levels of pedestrian activity and is provided along all streets.

**Therefore, staff finds the Guideline is met.**

*B. Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B)*

PRCA and Garage: Both the PRCA and Garage are located in close proximity to the adjacent streets and sidewalks. The applicant's plans show that pedestrian connections are provided along the primary entrances for both the PRCA and Garage.

**Therefore, staff finds the Guideline is met.**

**8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.**

*A. On-site vehicle circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8)*

PRCA and Garage: The Garage includes 6 levels of parking above ground floor commercial uses. The applicant's plans show one vehicular entrance and exit to the garage from SW Rose Biggi Avenue. Furthermore, the applicant's plans show a two way drive aisle, leading drivers upward and downward towards the exit. Therefore, staff

finds the on-site circulation to be easily recognized and identified. Improvements such as curbs, sidewalk, and landscaping, are not proposed within the parking garage structure nor are they intended for this type of on-site vehicle circulation.

**Therefore, staff finds the Guideline is met.**

B. *Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)*

The applicant is proposing a 6 level parking garage above ground floor commercial. Landscaping within the parking not proposed nor practical for structured parking.

**Therefore, staff finds that the Guideline is not applicable.**

**9. *Parking structures in Multiple Use zones.***

*Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes. (Standard 60.05.20.9)*

Garage: The applicant's plans demonstrate that the ground floor of the Garage along the SW Rose Biggi Avenue and SW Crescent Street frontages is proposed to incorporate commercial space that is completely glazed, promoting high levels of visibility and pedestrian activity.

**Therefore, staff finds that the Guideline is met.**

**60.05.45. *Landscape, Open Space and Natural Areas Design Guidelines.*** *Unless otherwise noted, all guidelines apply in all zoning districts.*

**3. *Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.***

A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.5.A, B, and D)*

PRCA: The applicant states that landscaping associated with the PRCA is proposed in the form of street trees combined with some ornamental plantings along the frontage of SW Crescent Street to soften that edge of the development site. On-site landscaping is focused in the Beaverton Creek vicinity where restoration native plantings will be provided adjacent to the PRCA plaza.

Garage: The applicant plans show that landscaping associated with the Garage is proposed in the form of street trees along SW Rose Biggi Avenue and a combination of street trees and landscaping planters along SW Crescent Street to soften the edges of the development site.

**Therefore, staff finds the Guideline is met.**

- B. Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.5.C)*

PRCA: The applicant states that the sidewalk and plaza adjacent to PRCA will be surfaced using concrete paving with decorative score lines. Landscaping is proposed at the eastern edge of the PRCA plaza, which opens up to the Beaverton Creek natural resource area, and street trees along the SW Crescent Street curb line.

Garage: Though a formal plaza is not proposed adjacent to the Garage, the applicant proposes a “plaza-like” area located at the corner of SW Rose Biggi and SW Crescent by a wide sidewalk. The applicant states that the sidewalk adjacent to the Garage will be surfaced with concrete paving with decorative score lines. A combination of street trees and planters are proposed along the SW Crescent Street and SW Rose Biggi curb lines.

Staff concurs that the proposed plaza is surfaced with decorative concrete and provide adequate landscaping.

**Therefore, staff finds the Guideline is met.**

- C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standard 60.05.25.5.A and B)*

PRCA and Garage: The applicant’s plans indicate that the majority of the landscaped area is provided through the preservation of the natural resource area located along the eastern and northern edge of the subject site. The applicant’s environmental consultant, Pacific Habitat Services, Inc. (PHS), prepared a natural resource assessment which proposes native plants for the enhancement and mitigation planting. The proposed plants are included in the applicant’s Service Provider Letter from Clean Water Services. PHS states that the plans were chosen because of their suitability to the soils and hydrology of the site and their natural occurrence in area as well as for their local availability.

Staff concurs that native and regionally compatible vegetation have been proposed.

**Therefore, staff finds the Guideline is met.**

- D. Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standard 60.05.25.5.A and B)*

PRCA and Garage: The subject site is currently developed as a surface parking lot with landscape trees planted within landscape islands and along the perimeter of the lot. To the east of the surface parking lot, is a natural resource area. The applicant’s plans propose to remove the landscape trees associated with the existing surface parking lot, however, the applicant proposes to retain approximately 33 trees within the natural resource area. The applicant’s plans show that the protected and enhanced resource area

will be incorporated to the extent possible, into the site design.

**Therefore, staff finds the Guideline is met.**

E. *A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)*

PRCA and Garage: The applicant has proposed enhancements to the vegetated corridor area adjacent to the proposed development. The applicant is required to mitigate any impacts to the natural resource area as well as enhance the entire vegetated corridor to meet or exceed good corridor conditions, as defined by CWS. As a result, plantings in these areas are limited, however, the applicant has proposed a mix of native trees, shrubs and herbaceous, varieties, approved by CWS. The applicant's plans show a planting area located between the plaza and vegetated corridor, stretching from the eastern boundary of the site and wrapping around the building to the north. The proposed planting area incorporates a variety of shrubs such as Oregon Grape, Western Sword Fern, King Edward Currant, Soft Rush, and Snowberry. The applicant states that limited planting can be provided on the project site as part of the proposed development, which is urban in its density and lot coverage.

**Therefore, staff finds the Guideline is met.**

6. ***Retaining walls.*** *Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.8)*

PRCA and Garage: The applicant states that retaining walls over six feet in height or greater than 50 feet in length are not proposed as part of this development.

**Therefore, staff finds the Guideline is not applicable.**

7. ***Fences and walls.***

A. *Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.35.9)*

PRCA and Garage: The applicant states fences and walls are not proposed.

**Therefore, staff finds the Guideline is not applicable.**

8. ***Changes to existing on-site surface contours at residential property lines.*** *The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight.*



PRCA and Garage: The subject site does not abut residentially zoned properties.

**Therefore, staff finds the Guideline is not applicable.**

9. ***Integrate water quality, quantity, or both facilities.*** *Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design.*

PRCA: The applicant states linear filter planters are proposed on east edge of the PRCA plaza to treat and slow water runoff from the paved pedestrian plaza. Planters are proposed on east end of the SW Crescent Street frontage.

Garage: The applicant states a planter is proposed part of the Garage's SW Crescent Street frontage.

Staff finds that the applicant's plans demonstrate the integration of water treatment facilities into the landscape design.

**Therefore, staff finds the Guideline is met.**

10. ***Natural areas.*** *Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan.*

PRCA and Garage: The applicant states that Beaverton Creek and associated wetland and vegetation are being preserved and enhanced when reasonably possible. The applicant's plans show that the proposed development maintains visual access to the natural area and restores native plantings adjacent to the natural area, consistent with CWS requirements. The applicant's plans show that the proposed plaza at the southwest corner of the site zigzags away from the edge of the sensitive area while also providing closer visual access to this natural resource area that is currently mostly inaccessible.

**Therefore, staff finds the Guideline is met.**

**60.05.50. Lighting Design Guidelines.** *Unless otherwise noted, all guidelines apply in all zoning districts. (Standard 60.05.30.1 and 2)*

1. *Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaries.*

PRCA: The applicant has provided a photometric plan and photometric renderings. Pole-mounted, wall-mounted, and under-bench mounted fixtures are proposed in locations throughout the site to maximize on-site safety. The lighting plan provided shows a mix of luminaries on site which provide sufficient light to maximize safety.

Garage: The applicant states that lighting in the Garage has been designed to meet recommended foot-candle levels and provide safety for covered and uncovered parking. Linear lighting fixtures (“linears”) are proposed in the Garage through Level 5 to achieve uniform illumination throughout the Garage. The applicant explains that the roof level of the Garage will have a photovoltaic (PV) system that will be used as covered parking. Linears will be mounted under the canopy and pole-mounted lighting will be added to address the parking area on the roof level not covered by the PV system.

**Therefore, staff finds that the Guideline is met.**

2. *Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building.*

PRCA: The applicant’s plans show lights recessed into the soffit, located approximately 14-feet above grade, primarily along the SW Crescent Street frontage but also on some east facing elevations. However, the lighting details provided in the applicant’s Site Photometric Plan (Sheet ELO.71) indicates that the LED Yoke Mounted Adjustable Floodlights are pole mounted at a range of 28-29 feet above finished grade. Staff recommends a condition of approval that no on-site pole-mounted luminaire exceeds 15 feet in height, to maintain pedestrian-scale lighting.

The applicant’s plans show one pole luminaire. The applicant states that PRCA luminaire finish materials and colors will be coordinated with final building and site furnishing finishes. The applicant explains that the Ligman multi-head pole luminaire design mimics a theatrical rigging style, reflecting the use of the building, while remaining a permanent installation. The proposed wall-mounted luminaire is simple in form, which the applicant states is harmonious with the architecture of PRCA and the Garage.

Garage: The applicant states that wall-mounted lighting and pole-mounted lighting, will be part of pedestrian-scale lighting proposed for the project site. The applicant also explains that the linears shown in the Garage Lighting Cut Sheets (Exhibit N) are standard for garage design. However, the applicant has not provided plans demonstrating the placement of light fixtures on the Garage.

On the eastern side, staff finds that the applicant’s plans show pole mounted luminaires above 15 feet in height therefore staff recommends a condition of approval that any on-site pole-mounted luminaires do not exceed 15 feet in height. Furthermore, staff finds building mounted lighting and roof lighting not accounted for in the submitted site photometric plan. Staff recommends a condition of approval requiring a revised photometric plan, demonstrating compliance with the Technical Lighting Standards, be submitted prior to Building Permit issuance.

**Therefore, staff finds that by meeting the recommended conditions of approval, the Guideline is met.**

3. *Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens-shields, shades or other measures to screen the view of light sources from residences and streets.*

PRCA: The applicant states, direct and indirect glare from PRCA exterior lighting will be minimized through the use of shields and direction/positioning of the lighting. Further, the applicant explains that interior lighting is being designed to be aimed to the interior and not exterior, thus, only ambient interior light will be seen from the outside. The applicant also states that this treatment of lighting also responds to general concerns expressed about lighting impacts expressed at the Neighborhood Meeting.

Garage: The applicant states that the lighting proposed for the Garage will not create glare. Glare control/"dark sky" compliance will be specified for luminaires that are exposed and not covered by structure (e.g., rooftop parking area). Glare from vehicle headlights on all parking levels of the Garage will be shielded by the horizontal louvers, which addresses concerns expressed at the Neighborhood Meeting.

The applicant states that lighting will feature shields and be positioned in way which will minimize direct and indirect glare impacts to abutting and adjacent properties and streets. However, the applicant has not submitted plans demonstrating how lighting will be addressed to adequately minimize the direct and indirect glare impacts on the abutting and adjacent properties and streets. Furthermore, the applicant's photometric plan indicates lighting levels at the property line exceed the maximum 0.5 foot candle lighting level outlined in the Technical Lighting Standards. Therefore, staff recommend a condition of approval requiring a revised photometric plan, demonstrating compliance with the Technical Lighting Standards, be submitted prior to Building Permit issuance.

**Therefore, staff finds that by meeting the conditions of approval, the Guideline is met.**

4. *On-Site lighting should comply with the City's Technical Lighting Standards.*

*Table 60.05-1 Technical Lighting Standards*

*D. The following standards are required of all exterior lighting:*

1. *When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ninety (90) degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.*
2. *When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the*

cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination within five (5) feet of any property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.

PRCA: The applicant states that the minimum interior illumination levels and maximum illumination levels at the property line shown in the PRCA Lighting Site Plan and Photometric Plan (Sheets EL0.71-EL0.73, Exhibit A) are consistent with these standards according to total cutoff angle. A taller pole light is proposed on PRCA property. The applicant's plans show that non-pole mounted luminaires, such as those recessed into the soffit and wall-mounted fixtures, have a cut-off angle of 90 degrees. The applicant proposes one pole-mounted fixture, with multiple adjustable floodlights, within the plaza area. The applicant's photometric site plan, show that lighting levels at the property line east of the pole-mounted luminaire exceed the maximum permitted 0.5 foot-candles. Furthermore, the applicant's plans state that this proposed pole-mounted luminaire is approximately 30 feet above finished grade, which is excess of the standard 15 feet for on-site pedestrian ways for all development types, as outlined in Table 60.05-1 Technical Lighting Standards.

Garage: The applicant states the minimum interior illumination levels, maximum illumination levels at the property line, and maximum height of lighting shown in the Garage Lighting Site Plan and Photometric Plan (Sheet EL0.72, Exhibit A) are consistent with these standards according to total cutoff angle.

Therefore, staff recommend a condition of approval requiring a revised photometric plan, demonstrating compliance with the Technical Lighting Standards, be submitted prior to Building Permit issuance. Staff further recommend an additional condition of approval that no pedestrian-scale lighting on the subject site exceed 15 feet in height. Evidence of lighting height compliance shall be provided prior to Building Permit issuance.

**Therefore, staff finds that by meeting the conditions of approval the Guideline is met.**

**LD2018-0032  
ANALYSIS AND FINDINGS FOR  
REPLAT TWO**

**Section 40.03.1 Facilities Review Approval Criteria:**

*The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:*

**Facilities Review Approval Criteria Section 40.03.1.A-L**

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

**Therefore, the Committee finds that the proposal meets the criteria.**

**Section 40.45.55 Land Division Applications; Purpose**

*The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.*

**Section 40.45.15.3.C Approval Criteria**

*In order to approve a Replat Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

**1. *The application satisfies the threshold requirements for a Replat Two.***

The subject site currently consists of three lots; 1S109DD03300, 1S109DD03400 and 1S109DD00800. The applicant is proposing to consolidate tax lot 3300 and 3400, which are both part of the same plat. The lot consolidation would meet Threshold 1 for the Replat One application, however, the applicant is proposing to adjust the eastern property line shared by tax lot 3400 and tax lot 800, which is not currently part of the same recorded plat. Therefore, the proposal includes changes that affect more than one recorded plat and the property line adjustment affects the perimeter boundary of two recorded plats. The applicant has elected to have the two replat applications processed together, under Replat Two requirements.

40.45.15.3.A. Thresholds:

*3. The reconfiguration of lots, parcels, or tracts affecting more than one (1) recorded plat, or where the perimeter boundary of a recorded plat would change as a result of the proposed reconfiguration.*

**Therefore, staff find that the proposal meets the criterion for approval.**

2. ***All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant has paid the required application fee for a Replat Two application.

**Therefore, staff find that the proposal meets the criterion for approval.**

3. ***The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the partition process to comply with current Code standards and requirements.***

The applicant states that the proposed replat does not conflict with any existing City approval, staff concurs.

**Therefore, staff find that the proposal meets the criterion for approval.**

4. ***Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.***

Chapter 90 defines an oversize lot as at least twice the minimum lot size permitted in the zoning district. A minimum lot size is not established in the RC-TO District and, therefore, an oversize lot cannot be created.

**Therefore, staff find that the criterion for approval does not apply.**

5. ***Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following:***

***a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,***

***b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed provides a standard street cross section with sidewalks.***

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

- 6. *Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.***

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

- 7. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.***

Phasing is not requested as part of this application.

Therefore, staff find that the criterion for approval does not apply.

- 8. *The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.***

The proposed replat does not eliminate pedestrian access, utility service, or vehicle access to the subject properties. The applicant states that pedestrian access is proposed to be provided to the site and on the site as addressed in Sections 40.03.1.B, 60.55.25, and 60.55.30. Utility service has been provided to the site for previous uses and is proposed to be provided to the site according to the Utility Plan in Sheet C1.03, Exhibit A (of the applicant's materials). Vehicle access to the site will be provided via SW Rose Biggi Avenue, where a driveway into the Garage is proposed, and SW Crescent Street, where an on-street passenger loading zone is proposed.

Therefore, staff find that the proposal meets the criterion for approval.

- 9. *The proposal does not create a parcel or lot which will have more than one (1) zoning designation.***

The proposed consolidated lot has a single zoning designation – RC-TO (Regional Center – Transit Oriented).

Therefore, staff find that the proposal meets the criterion for approval.

- 10. *Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.***

The applicant states applications and documents related to this request include a

Type Two Replat application form, a Replat Plan, and documentation from CWS (Exhibit D of applicant's materials). This application is being submitted concurrently as part of an application package. No additional application or documents are needed at this time.

**Therefore, staff find that the proposal meets the criterion for approval.**

### **RECOMMENDATION**

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2018-0032 (PRCA and Garage)**, subject to the applicable conditions identified in Attachment J.



**LO2018-0004  
ANALYSIS AND FINDINGS FOR  
LOADING DETERMINATION APPROVAL**

**Section 40.50.05 Loading Determination Application; Purpose**

*The purpose of a Loading Determination is to establish mechanism to determine or modify the required number of off-street loading spaces or modify the off-street loading space dimensions in advance of, or concurrent with, applying for approval of an application, development, permit, or other action.*

**Section 40.50.15.1.C Loading Determination Approval Criteria:**

*In order to approve a Loading Determination application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

**1. *The proposal satisfies the threshold requirements for a Loading Determination application.***

The applicant request modification of the of the required loading space dimension, specifically the 30-foot maneuvering apron. The applicant request the maneuvering space be located within the right-of-way with zero feet on-site thereby meeting Loading Determination Threshold No. 3 which reads:

*Threshold 3: A request to modify the dimensions of a required off-street loading space listed in Section 60.25 (Off-Street Loading) of this code.*

**Therefore, staff finds that the criterion is met.**

**2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fee associated with a Loading Determination application.

**Therefore, staff finds that the criterion is met.**

**3. *The determination will not create adverse impacts, taking into account the total gross floor area and the hours of operation of the use.***

The applicant states adverse impacts will be avoided or limited by the proposal. The loading for the PRCA is fully on-site. The request is to allow the maneuvering of trucks within the right-of-way. The PRCA staff will oversee operation of this site including the loading to address any timing issues. Staff finds the proposed loading areas can adequately serve the proposed development without adverse impacts.

**Therefore, staff finds that the criterion is met.**

- 4. *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site and in connecting with the surrounding circulation system.***

The applicant states safe and efficient circulation patterns are provided with this development. Staff cite Criteria F and G of the Facilities Review Committee as applicable to this criterion. The loading areas are proposed in the Garage to provide safe, efficient vehicle movements away from the primary building entrances. No pedestrian connections will be obstructed by the loading berth. Staff concurs that the loading berth is in the best location for safe circulation patterns.

**Therefore, staff finds that the criterion is met.**

- 5. *The proposal will be able to reasonably accommodate the off-street loading needs of the structure.***

The proposal requires one Type B loading berth. The applicant states that while truck maneuvering is proposed on SW Rose Biggi Avenue, the site will be able to accommodate the needed off-street loading area. Based on the size of the uses and the proposed loading area, staff find the proposal will reasonably accommodate the off-street loading needs of the development.

**Therefore, staff finds that the criterion is met.**

- 6. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that the improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff cite the Facilities Review approval Criterion D which responds to this criterion in detail. Staff finds that the application complies with applicable provisions Chapter 60 or can be made to comply through conditions of approval.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

- 7. *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill***

***and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to periodic maintenance by the City or other public agency.***

Staff cite the Facilities Review approval Criterion E regarding the maintenance of the site as applicable to this criterion. The applicant states that future maintenance responsibilities of the site and buildings will be the role of the City, BURAs, and/or a future owners association established in part to ensure maintenance.

**Therefore, staff finds that the criterion is met.**

**8. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The applicant has submitted all documents related to this request for Loading Determination approval. The application was submitted on August 15, 2018 and deemed complete on December 19, 2018.

**Therefore, staff finds that the criterion is met.**

**9. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in proper sequence.***

The applicant has submitted all documents related to this request for Loading Determination (LO2018-0004) approval. Two Conditional Use applications for the PRCA (CU2018-0017) and Garage (CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) were submitted concurrently with LO2018-0004. The Loading Determination (LO2018-0004) is dependent upon the Conditional Use applications (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006) and Tree Plan Two (TP2018-0008) approval; therefore staff recommend a condition of approval requiring the approval of the Conditional Use applications, Design Review Three, and Sidewalk Design Modification applications. No additional application or documents are needed at this time.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

**Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **LO2018-**

**0004 (PRCA and Garage).** Should the Planning Commission find that the proposal meets the criteria for approval staff has recommended conditions of approval in Attachment J.

**PD2018-0002  
ANALYSIS AND FINDINGS FOR  
PARKING DETERMINATION-SHARED PARKING**

**40.55.05 Parking Determination Purpose**

*The purpose of a Parking Determination is to establish required number of parking spaces for uses which do not have a parking ratio requirement listed in the Development Code. The Parking Determination application is established for determining the required number of off-street parking spaces in advance of, or concurrent with, applying for approval of an application, development, permit, or other action. This Section is carried out by the approval criteria listed herein.*

**Section 40.55.15.2.C. Approval Criteria**

*In order to approve a Shared Parking application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

***1. The proposal satisfies the threshold requirements for a Shared Parking application.***

The approximately 352 parking spaces proposed in the Garage will provide parking for the PRCA, required parking for The Lofts, and parking for the general Beaverton Central district. Therefore, the proposal satisfies the threshold for a Parking Determination-Shared Parking application.

**40.55.15.2.A Thresholds:**

- 1. The required off-street parking for two or more uses will share required parking spaces.*
- 2. All or a portion of the required parking will be provided at an off-site location.*

**Therefore, staff finds that the proposal meets the criterion for approval.**

***2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant submitted the required fee associated with the Parking Determination application.

**Therefore, staff finds that the proposal meets the criterion for approval.**

***3. The location of the shared off-street parking is on an abutting property and is within 200 feet of the subject use in which the shared parking is intended to serve, except in Multiple Use zoning districts where the location may be at any distance.***

The subject site is located in the RC-TO zoning district, a multiple use zoning district. While the Garage will abut the PRCA, and is located across SW Crescent Street from the

existing mix-used buildings, this locational standard does not apply to multiple use zoning districts.

**Therefore, staff finds that the proposal meets the criterion for approval.**

***4. If multiple properties are involved, the ownership of the properties have each agreed to the shared parking by entering into a shared parking agreement.***

The applicant states multiple properties are involved in the use of the proposed Garage. Draft shared parking agreements between multiple parties are being prepared. Since the Garage is to be located in the parking area for the existing buildings, staff recommend a final shared agreement be provided prior to issuance of the Site Development Permit to ensure all parties are in agreement with operation of the Garage.

**Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion.**

***5. The peak parking demand for the various uses located on the subject properties occur at different times of the day.***

The applicant states that there will be adequate parking to serve the uses proposed at the same time. Table 3 of the Parking Demand Assessment by Rick Williams Consulting (RWC) dated November 19, 2018 identifies the total peak parking demand for the events center is 8 PM, the retail facility at 12:00 to 1:00. Other uses vary in throughout the day. Since 82 spaces for the residential condominiums are being reserved, there is no peak demand time identified for this use. The applicant also explains that it is important to note that the RWC analysis does not assume any reductions in anticipated parking demand due to the proximity of transit (Beaverton Central MAX station is less than 300 feet from the PRCA entrance), nor does it look at alternative mode access and end-of-trip facilities, such as short- and long-term bike parking and storage, and the growing popularity of transportation network companies (also known as ride share companies) options. All of these factors may reduce the parking demand. Staff finds that the peak parking demand for various uses occur at different times of the day.

**Therefore, staff finds that the criterion is met.**

***6. Adequate parking will be available at all times when the various uses are in operation.***

The applicant states the propose use of the site as an events center, also known as Commercial Amusement use, does not have a minimum parking requirement in this multiple use zone. However the Parking Demand Assessment by Rick Williams Consulting dated November 19, 2018 identifies the total peak demand for parking for the events center and the uses surrounding the area occurs during the 8:00 PM and requires approximately 439 spaces (including a 15% availability buffer). The proposed Garage is expected to provide 352 stalls, with the remaining 87 stall provided in on-street parking

spaces and the existing Round Garage. Staff finds that while the proposed event center does not have minimum parking requirements, the proposal has taken into consideration the needed parking in the area to accommodate the future uses and mitigate the displaced parking in the project area as a result of this proposal. An adequate amount of parking is provided in order to serve all uses at all times with the various uses are in operation.

**Therefore, staff finds that the proposal meets the criterion for approval.**

- 7. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff cite the Facilities Review approval Criteria D which responds to this criterion in detail.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

- 8. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site.***

Staff cite the Facilities Review approval Criteria F and G which respond to this criterion in detail. Staff finds that the application provides safe and efficient vehicular and pedestrian circulation patterns as conditioned.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

- 9. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.***

The applicant has submitted all documents related to this request for Parking Determination-Shared Parking approval. The application was submitted on August 15, 2018 and deemed complete on December 19, 2018.

**Therefore, staff finds that the proposal meets the criterion for approval**

- 10. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for Parking Determination – Shared Parking (PD2018-0002) approval. A Conditional Use application for the PRCA (CU2018-0017) and a Conditional Use application for the Garage (CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Sidewalk Design Modification (SDM2018-0006), and Tree

Plan Two (TP2018-0008) were submitted concurrently with PD2018-0002. The Parking Determination – Shared Parking (PD2018-0002) application is dependent upon the Conditional Use applications (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Sidewalk Design Modification (SDM2018-0006) and Tree Plan Two (TP2018-0008) approval; therefore staff recommend a condition of approval requiring the approval of the Conditional Use applications, Design Review Three, Replat Two, Loading Determination, Sidewalk Design Modification and Tree Plan Two. No additional application or documents are needed at this time.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

### **Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **PD2018-0002 (PRCA and Garage)** subject to the applicable conditions identified in Attachment J.



**SDM2018-0006  
ANALYSIS AND FINDINGS FOR  
SIDEWALK DESIGN MODIFICATION**

**Section 40.58.05. Sidewalk Design Modification Application; Purpose**

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

**Section 40.58.15.1.C. Approval Criteria**

In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

***1. The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.***

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

***2. The dimensions or locations of street tree wells specified in the Engineering Design Manual are proposed to be modified.***

Section 60.15.15.6.A requires trees spaced 30-feet on-center. The applicant's plans show that street trees on SW Crescent Street are spaced 30 feet on average, but do not meet the spacing requirements of 30 feet on center. Street trees on SW Rose Biggi Avenue are shown to neither average 30 feet on center nor be spaced at 30 feet on center. The proposal meets the Sidewalk Design Modification Threshold No. 2.

**Therefore, staff find the proposal meets the criterion for approval.**

***2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

The City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

**Therefore, staff finds the proposal meets the criterion for approval.**

***3. One or more of the following criteria are satisfied:***

- a. That there exist local topographic conditions, which would result in any of the following:**
  - i. A sidewalk that is located above or below the top surface of a finished curb.**
  - ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.**
- b. That there exist local physical conditions such as:**
  - i An existing structure prevents the construction of a standard sidewalk.**
  - ii An existing utility device prevents the construction of a standard sidewalk.**
  - iii Rock outcroppings prevent the construction of a standard sidewalk without blasting.**
- c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.**
- d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.**

The applicant states that the preservation and location of the Sensitive Area (Beaverton Creek) located onsite, has influenced the design and layout of the proposed development, therefore, the location of buildings, loading zone, and non-standard location of street trees are a reflection of the site's natural resources. Additionally, the applicant's plans show that curb cuts for Garage access (including access for trash/recycling collection and the loading dock) and a pedestrian crossing ramp, occupy most of the northern half of the street frontage on SW Rose Biggi Avenue. The applicant explains that the street tree spacing standard cannot be accommodated here in part because City Engineering staff have requested that street trees be placed clear of the pedestrian crossing ramp to prevent sightline obstruction of the crossing.

Where space is available, nearer to the intersection of SW Rose Biggi and SW Crescent, street trees and tree wells are proposed 20-foot on center. The spacing for the street trees on SW Crescent average 30-feet on center; however, due the location of the street lighting and bollards at certain segments of SW Crescent, spacing between trees exceed 30 feet. The proposed modified tree quantity and spacing is influenced by site constraints, in part a result of the sensitive natural resource areas being preserved onsite. Along the SW Rose Biggi frontage, street trees are omitted in areas proposed for vehicle maneuvering and in an effort to improve site distance visibility from the driveway onto a curved right-of-way. Furthermore, the applicant is proposing to reduce the spacing requirements between street trees in an effort to accommodate more street trees. Along the SW Crescent Street frontage, the applicant is also proposing to reduce the spacing between street trees to accommodate more trees to mitigate the absence of street trees at the proposed pedestrian/vehicle loading area. Additionally, the applicant is proposing removable bollards in this location to provide a buffer between the pedestrian area and adjacent vehicle area.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**4. *The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.***

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated. Staff refers to the Facilities Review findings for approval criterion D in reference to compliance with 60.55 and the memorandum dated January 11, 2019 (Exhibit 1.3). The applicant must show compliance with the Conditions of Approval prior to issuance of a Site Development Permit for the proposed transportation facilities.

**Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.**

**5. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for Sidewalk Design Modification (SDM2018-0006) approval. A Conditional Use application for the PRCA (CU2018-0017), a Conditional Use application for the Garage (CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), and Tree Plan Two (TP2018-0008) were submitted concurrently with SDM2018-0006. The Sidewalk Design Modification (SDM2018-0006) is dependent upon Conditional Use (CU2018-0017 and CU2018-0018) applications, Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006) and Tree Plan Two (TP2018-0008) approval; therefore staff recommend a condition of approval requiring the approval of the Conditional Use applications, Design Review Three, Replat Two, Loading Determination, Parking Determination, Sidewalk Design Modification and Tree Plan Two. No additional application or documents are needed at this time.

**Therefore, staff finds the proposal meets the criterion for approval.**

**6. *The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.***

Staff cite the Facilities Review approval Criteria F and G which respond to this criterion in detail. Staff finds that the application provides safe and efficient vehicular and pedestrian circulation patterns as conditioned.

**Therefore, staff finds that by meeting the conditions of approval the criterion is met.**

**Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2018-0006 (PRCA and Garage)** subject to the applicable conditions identified in Attachment J.

**TP2018-0008  
ANALYSIS AND FINDINGS FOR  
TREE PLAN TWO**

**Section 40.90.05 Tree Plan Applications; Purpose**

*Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.*

**Section 40.90.15.2.C Approval Criteria**

*In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

- 1. *The proposal satisfies the threshold requirements for a Tree Plan Two application.***

The applicant proposes to remove 69%, or 63 trees, located within a Sensitive Area, as defined by Clean Water Services, from the site which meets threshold two for a Tree Plan Two application.

40.90.15.2 Threshold:

*2. Multiple Use zoning district: Removal of up to and including 85% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.*

**Therefore, staff find that the proposal meets the criterion for approval.**

- 2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant has paid the required fee for a Tree Plan Two application.

**Therefore, staff find that the proposal meets the criterion for approval.**

- 3. *If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.***

The trees are not proposed for removal to observe good forestry practices. The

trees are proposed for removal to accommodate the development of the site.

**Therefore, staff find that the criterion for approval does not apply.**

**4. *If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.***

The applicant states that the removal of trees in the Sensitive Area is necessary to construct the PRCA building on a tight footprint and no reasonable alternative to tree removal exists. The site constraints are dictated by the surrounding existing streets, SW Hall Boulevard, SW Crescent and SW Rose Biggi, and by the Sensitive Area located along the sites eastern boundary. The applicant explains that additionally, removal of these trees is necessary for constructing a pedestrian-oriented plaza and hardscape landscaping that promote a vibrant environment appropriate for the use, location, and zoning; accommodate fire access on the east and north sides of the buildings; and provide a buffer between the building and Beaverton Creek. The applicant's plans indicate that the proposed tree removal is necessary to accommodate physical development and given the site location and existing constraints, reasonable alternatives do not exist.

**Therefore, staff find that the proposal meets the criterion for approval.**

**5. *If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.***

The applicant states that while some trees proposed for removal in the Sensitive Area are noted in the survey as dead (Exhibit L of the applicant's materials), none are noted as having the potential to damage property or improvements.

**Therefore, staff find that the criterion for approval does not apply.**

**6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.***

The applicant states that the proposed tree removal is necessary, in part, to provide a buffer between PRCA and Beaverton Creek and accommodate a fire access clear zone on the east and north sides of the buildings.

**Therefore, staff find that the proposal meets the criterion for approval.**

**7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, [or] to eliminate conflicts with***

***structures or vehicles.***

The trees are proposed for removal to accommodate new development where no reasonable alternative exists.

**Therefore, staff find that the criterion for approval does not apply.**

- 8. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.***

A wetland associated with Beaverton Creek is located on the subject site. The applicant has submitted a natural resource assessment, conducted by Pacific Habitat Services, Inc. (PHS), which includes a wetland delineation report. Within the analysis, PHS explains that the current onsite conditions differ from those identified in the city's Significant Natural Resources inventories, likely as a result of altered stormwater runoff patterns. PHS further explains that the reduction in wetland area is believed to be the result of the construction of surface parking lots constructed in 2004, on land that was previously vacant, and water was allowed to flow freely toward Beaverton Creek. The remaining wetland area, as delineated by PHS and acknowledged by Clean Water Services (CWS) in a Service Provider Letter as a sensitive area, is proposed to be mostly protected and enhanced. Small areas where encroachment is unavoidable, are proposed to be mitigated onsite, in accordance with CWS requirements. The applicant states, and staff concurs, that the proposed tree removal will not reverse the SNRA's significance determination.

**Therefore, staff find that the proposal meets the criterion for approval.**

- 9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.***

The applicant states, and staff concurs, that the remaining trees are distributed throughout the undeveloped part of the project site around Beaverton Creek and therefore, there is no risk of windthrow.

**Therefore, staff find that the proposal meets the criterion for approval.**

- 10. *The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources.***

Staff cites the Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 through 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of

Chapter 60.60 and 60.67.

**Therefore, staff find that the proposal meets the criterion for approval.**

- 11. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

This approval criterion is identical to Facilities Review approval criterion J and the response contained within the revised Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's proposal balances accommodating the proposed use and mitigating the adverse effects on neighboring properties.

**Therefore, staff find that the proposal meets the criterion for approval.**

- 12. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The application was submitted on August 13, 2018. The application was deemed complete on December 19, 2018. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

**Therefore, staff finds that the proposal meets the criterion for approval.**

- 13. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for a Tree Plan Two (TP2018-0008) approval. Two New Conditional Uses (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032) Loading Determination (LO2018-0004), Parking Determination (PD2018-0002) and Sidewalk Design Modification (SDM2018-0006) applications are being processed concurrently with this Tree Plan Two. No additional applications or documents are needed at this time. The Tree Plan Two application is dependent upon approval of the Conditional Use applications (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002) and Sidewalk Design Modification (SDM2018-0006) applications. Staff recommends a condition of approval which states that approval of the Tree Plan Two application is subject to approval of the Conditional Use applications, Design Review Three, Replat Two, Loading Determination, Parking Determination, and Sidewalk Design Modification application.



Therefore, staff finds that by meeting the conditions of approval the proposal meets the criterion for approval.

**Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2018-0008 (PRCA and Garage)** subject to the applicable conditions identified in Attachment J.

**Code Conformance Analysis**  
**Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources**

<b>CODE SECTION</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEET STANDARD</b>
<b>60.60.15 Pruning, Removal, and Preservation Standards</b>			
60.60.15.2. C.1-3	For trees within SNRAs the following additional standards shall apply: 1. The minimum DBH of non-exempt surveyed trees that must be preserved on a site is as follows: a) Multiple Use zoning districts: Fifteen percent (15%) of the DBH of non-exempt surveyed trees found on a project site. 2. DBH to be retained shall be preserved in cohesive areas, termed Preservation Areas, when development is proposed in SNRAs or Significant Groves. 3. Native understory vegetation and trees shall be preserved in Preservation Areas.	Thirty-one percent (31%) of the total diameter of non-exempt SNRA trees is proposed to be Preserved within the designated Sensitive Area. Trees to be preserved are shown to be located in a cohesive area. These trees and native understory will be enhanced per CWS standards and preserved in a CWS designated Sensitive Area.	<b>Yes</b>
60.60.15.2.C.4	Preservation Areas, conditioned for protection through the Development Review process, shall be preserved in clusters that are natural in appearance rather than in linear strips. Preservation Areas should connect with adjoining portions of the Significant Grove or SNRA...	The trees proposed to be preserved are located around the Beaverton Creek in a cluster and connect to adjacent natural resource areas that follow the creek off-site.	<b>Yes</b>
60.60.15.2.C.5	Preservation Areas, conditioned for protection through the Design Review process, shall be set aside in conservation easements and recorded with a deed restriction with Washington County, unless otherwise approved by the City.	Staff recommends a condition of approval that the CWS designated Sensitive Area and associated Vegetated Corridor be set aside in a conservation tract and recorded with a deed restriction with Washington County.	<b>Yes, w/COA</b>
60.60.15.2.C.6	Preservation Areas, conditioned for protection through the Land Division process, shall be set aside in tracts and recorded with	Staff recommends a condition of approval that the CWS designated Sensitive Area and associated Vegetated Corridor be set aside in	<b>Yes, w/COA</b>

	a deed restriction with Washington County, unless otherwise approved by the City.	a conservation tract and recorded with a deed restriction with Washington County	
60.60.15.2.C.7	Where a decision must be made to retain a native or non-native tree, the native species shall be retained...	The applicant's arborist, Morgan Holen and Associates, LLC, has not identified, any situation where this has been an issue.	N/A
60.60.15.2.C.8	Hazardous and dead trees within Significant Groves and SNRAs should be fallen only for safety and left at the resource site to serve as habitat for wildlife, unless the tree has been diagnosed with a disease and must be removed from the area to protect the remaining trees.	The applicant states that none of the trees proposed for removal were identified as hazardous. However, the applicant's arborist states that 9 dead trees are located in the Sensitive Area. The arborist's report indicated some dead trees are to be retained while others are to be removed, without an explanation as to why. Staff recommend a condition of approval that dead trees within the CWS Sensitive Area should be fallen only for safety and left at the resource site to serve as habitat for wildlife, unless sufficient justification is provided by a biologist showing that the additional tree materials provide no habitat benefit.	Yes, w/COA
<b>60.60.20 Tree Protection Standards During Development</b>			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	The applicant's plans show tree protection fencing around trees proposed to be retained. To ensure compliance with this section, staff recommend a condition of approval requiring the applicant submit plans demonstrating compliance with tree protection provisions of Section 0.60.20 of the Development Code, unless modified in agreement with the City Arborist. Plans showing compliance with these standards, including placement of orange tree fencing shall be provided prior to Site Development Permit issuance.	Yes, w/COA
<b>60.60.25 Mitigation Requirements</b>			
60.60.25.1A	All mitigation tree planting shall take place in	The applicant's landscaping plan shows that mitigation trees are spaced 10 feet apart.	Yes

	conformance with accepted arboricultural practices and shall be spaced a minimum of ten (10) feet apart.		
60.60.25.1B	Trees planted for the purpose of tree removal mitigation shall be maintained in accordance with the approved mitigation plan. Monitoring of mitigation planting shall be the ongoing responsibility of the property owner	Staff recommend a condition of approval that mitigation trees shall be maintained in accordance with Section 60.60.25.1.B.	<b>Yes, w/COA</b>
60.60.25.1.C-D	Trees planted for the purpose of tree removal mitigation shall be set aside in a conservation easement or a separate tract and shall be designated as "Mitigation Trees" and each Mitigation Tree planted shall be insured through a performance security, equal to 110 percent of the cost of the landscaping, filed with the City for a period of two (2) years to ensure establishment of the mitigation planting.	Staff recommend a condition of approval that all trees planted for the purpose of tree removal mitigation shall be set aside in a conservation easement or a separate tract and shall be designated as "Mitigation Trees" and recorded with a deed restriction identifying the trees as "Mitigation Trees". The recommended condition also requires that each mitigation tree be insured through a performance security.	<b>Yes, w/COA</b>
60.60.25.1.E	Street trees shall not be counted as providing mitigation of a SNRA or Significant Grove.	Street trees are not counted towards providing mitigation.	<b>Yes</b>
60.60.25.2.A-C	Mitigation for the removal of trees from Significant Groves or SNRAs shall be required as follows...	The applicant has provided a tree inventory consistent with the requirements of this section. The applicant's arborist states total diameter of non-exempt SNRA trees is 452-inches. Approximately 69% inches are proposed to be removed, therefore mitigation is required. The inches proposed for removal above 50% is 84 inches. Therefore, the total required amount of mitigation is 84 inches of Diameter at Breast Height (DBH). However, as permitted through Section 60.60.25.4., on-site mitigation can occur on a 2:1 planting ratio, therefore, only 42	<b>Yes</b>

		inches are required if the mitigation trees are planted on-site, as the applicant has proposed to do.	
60.60.25.3.A	Dead or dying trees within a Significant Grove or SNRA shall be fallen when required for safety...	Staff recommend a condition of approval that dead trees within the CWS Sensitive Area should be fallen only for safety and left at the resource site to serve as habitat for wildlife, unless the tree has been diagnosed with a disease and must be removed from the area to protect the remaining trees.	<b>Yes, w/COA</b>
60.60.25.3.B	<p>Mitigation trees must meet the following minimum requirements:</p> <p>1. Deciduous trees shall be replaced with native deciduous trees no less than two caliper inches (2") in diameter.</p> <p>2. Coniferous trees shall be replaced with native coniferous trees no less than three feet (3') in height and no more than four feet (4') in height. A three foot (3') mitigation tree shall equate to 2" DBH and four foot (4') mitigation tree will equate to 3" DBH.</p> <p>3. The total linear DBH measurement of the trees to be removed shall be mitigated with the necessary number of trees at least two caliper inches (2") in diameter.</p>	<p>As permitted through Section 60.60.25.4, the applicant is proposing a total of 42 inches in mitigation. The applicant's plans show a total of 15 trees, a combination of Ponderosa Pine and Hogan Cedar. The applicant's plans show that both tree varieties are to be planted at 4 feet in height and 3 inches in diameter, with a total of 5 ponderosa pines and 10 hogan cedars.</p> <p>The applicant has not proposed any deciduous trees even though the arborist's report indicates 166 inches in DBH of deciduous trees are proposed for removal. Staff recommend a condition of approval that a revised landscaping plan be submitted, prior to Site Development permit issuance, showing deciduous tree planting will occur at a rate equivalent to their removal. More specifically, the non-exempt deciduous trees proposed for removal equal approximately 58% of the total inches in DBH to be removed. Staff recommend that at least 58% of the total mitigation inches required (approximately 24 inches) be provided with deciduous trees.</p>	<b>Yes, w/COA</b>
60.60.25.4	<p>Significant Grove or SNRA on-site mitigation, 2:1 planting ratio.</p> <p>B. Multiple Use zoning districts: For tree removal proposals which remove more than 50% and up to and including 85% of the</p>	The proposed development and related tree removal is located within a Multiple Use zoning district and the applicant is proposing to plant the mitigation trees on the subject site. Based on the mitigation formula described in Section 60.60.25.1, a total of 84	<b>Yes</b>

	<p>surveyed non-exempt DBH, if all mitigation tree planting is to occur on-site, the ratio for planting shall be on a 2:1 basis.</p>	<p>inches would be required. However, this provision allows the for the mitigation to occur at half the rate, if it's provided on-site, therefore, the applicant is required to provide a total of 42 inches in DBH. The applicant's plans show a total of 45 inches in DBH proposed.</p>	
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**RECOMMENDATION AND CONDITIONS OF APPROVAL**  
**PRCA and Parking Garage**  
**(CU2018-0017 / CU2018-0018 / DR2018-0123 / LD2018-0032 /**  
**LO2018-0004 / PD2018-0002 / SDM2018-0006 / TP2018-0008)**

**CU2018-0017 (Commercial Amusement) Conditional Use**

- A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**
1. Ensure that the Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) applications have been approved and are consistent with the submitted plans. (Planning/ES)

**CU2018-0018 (Parking Garage) Conditional Use**

- A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**
1. Ensure that the Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) applications have been approved and are consistent with the submitted plans. (Planning/ES)

**DR2018-0123 Design Review Three:**

- A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**
1. Submit a narrative that responds to all applicable conditions of approval and discusses how each condition has or will be satisfied prior to issuance of the Site Development Permit. (Site Development Div./JJD)
  2. Contact Building Department at (503)350-4079 or (503)526-2409 to obtain a Plumbing Permit from the Building Department for the proposed onsite utilities. Submit the Plumbing Permit application concurrently with the Site Development Permit application. (Site Development Div./TDM)
  3. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review

checklist. (Site Development Div./JJD)

4. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in the City Engineering Design Manual and Standard Drawings (City EDM), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (April 2017, Resolution and Ordinance 2017-05), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
5. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and the City EDM; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
6. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality) facilities, all site work in the floodplain, and Clean Water Services (CWS) required plantings by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
7. Submit any required off-site easements, and any SPL-required new CWS-sensitive area and vegetated-corridor easement, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
8. Submit to the City a copy of issued permits or other approvals needed from the Oregon Department of Transportation (ODOT) Rail and Public Transit Division (Carrie Martin at 503.986.6801) for work within 500 feet of the rail crossing areas. (Site Development Div./JJD)
9. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
10. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer (meeting the standards set by the City Engineer as specified in the Engineering Design Manual Chapter 6, 610.L). The analysis shall provide the available water volume (GPM) at 20



psi residual pressure from the fire hydrant nearest to the proposed project.  
(Site Development Div./JJD)

11. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
12. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div./JJD)
13. Provide final construction plans and a final detailed drainage report prepared by a professional engineer meeting the standards set by the City Engineer and demonstrating compliance with CWS Resolution and Order 2007-020 in regard to water quality treatment (Chapter 4) for the proposal.. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
14. Provide final construction ready plans showing a proprietary Stormfilter system (for treatment of the site's surface water runoff) with a minimum of 3.0 cartridges per tributary impervious acre. Plans shall also show an oil and sediment trap for any auxiliary inlet structures (ex: sumped, lynch-type catch basin, trench drain with trap, or other City of Beaverton approved equivalent) located in front any Stormfilter unit. (Site Development Div./JJD)
15. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot to another lot area shall not be considered a direct plumbing service. (Site Development Div./JJD)
16. Provide a final engineering analysis of the grading and construction work proposed within the 100-year floodplain as necessary to allow for a public notice to be published in a local newspaper by the City Engineer. The public notice and a 10 day appeal period shall occur after final approval of the site development permit AND building permit plans by the City Engineer, City Building Official, and Planning Director. (Site Development Div./JJD)
17. Submit to the City a certified impervious surface determination of the proposed project prepared by the applicant's engineer, architect, or surveyor (this can be with or shown on the submitted building plans). The certification shall consist of an analysis and calculations determining the square footage

of all impervious surfaces on the site. In addition, specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways, sidewalk and pedestrian areas, and any gravel or pervious pavement surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, modified existing impervious, the new impervious surface area created, and total final impervious surface area on the entire site after completion. (Site Development Div./JJD)

18. Pay a storm water system development charges (overall system conveyance and for quantity detention) for any net new impervious area proposed for the entire project. (Site Development Div./JJD)
19. Provide plans for street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director), an on-site lighting plan, and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
20. Obtain the City Building Official's review approval of the proposed private fire service mains (fire line), vault, backflow prevention and Fire Department Connection (FDC). (Site Development Div./JJD)
21. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD)
22. Provide plans showing a City standard commercial driveway apron at the intersection of any private driveway and a public street. (Site Development Div./JJD)
23. Prior to approval of the Site Development Permit, the applicant shall submit plans that show bike parking that complies with the City's requirements. All short-term bike parking spaces shall be provided by inverted U-type or staple-type racks that are a minimum of 30 inches wide and 36 inches tall (or similar as permitted by the City Engineer), centered within parking areas that are at least 6 feet long by 4 feet wide, separated from buildings by at least 2 feet. (Planning / ES)
24. Submit plans that show the sufficient right-of-way width on SW Crescent Street to meet City's 2-Lane Collector standards, or as approved by the City Engineer. (Planning / ES)

25. Ensure that the Conditional Use – PRCA (CU2018-0017), Conditional Use – Garage (CU2018-0018), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006), and Tree Plan Two (TP2018-0008) applications have been approved and are consistent with the submitted plans. (Planning/ES)

**B. Prior to building permit issuance for a building, the applicant shall:**

26. Provide proof of artwork approval by the Beaverton Arts Commission for any artwork proposed on the northern wall of the garage. The approved artwork shall cover at least 30% of the northern garage wall, as measured from 3 feet above grade to 74.5 feet above grade. 20% to 25% of the artwork shall project at least four (4) inches from the wall but shall not cross the property line. If approval is not provided for artwork on the northern undifferentiated wall, the applicant shall revise the plans and receive Design Review approval. (Planning / ES)
27. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
28. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)
29. Have a professional architect, engineer, or surveyor submit plans and specifications to the City Engineer and City Building Official verifying that all elements of the new building construction are either elevated, constructed of flood damage resistant materials, or flood-proofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood- resistant Construction), and ASCE/SEI 24-05, and as determined by the City Engineer and City Building Official to the design flood elevation of least 178.5 feet NGVD-29 (182.0 NAVD-88) which is two feet above the base flood elevation [176.5 feet NGVD-29 (180.0 NAVD-88)]. (Site Development Div./JJD)
30. Provide a revised photometric plan, demonstrating compliance with the Technical Lighting Standards, as outlined in Table 60.05-1 of the Beaverton Development Code (Planning / ES)
31. Provide plans demonstrating onsite pedestrian scale wall-mounted and pole-mounted lighting does not exceed 15 feet in height above building finished grade, as required by Table 60.05-1 Technical Lighting Standards of the Beaverton Development Code. (Planning / ES)

32. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/ES)

**C. Prior to final occupancy permit issuance of each building permit, the applicant shall:**

33. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
34. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
35. Have a professional architect, engineer, or surveyor submit certification(s) on Federal Emergency Management Agency (FEMA) standard form (elevation certificate and if applicable a flood-proofing certificate), to the City Building Official, verifying that all at-risk elements of the new construction are either elevated or flood-proofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood-resistant Construction), and ASCE/SEI 24-05, requirements, and as determined by the City Engineer and City Building Official at permit issuance, to at least 178.5 feet NGVD-29 (182.0 NAVD-88) two feet above the base flood elevation [176.5 feet NGVD-29 (180.0 NAVD-88)]. (Site Development Div./JJD)
36. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD)
37. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are damaged during the construction of the site. (Site Development Div./JJD)
38. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
39. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div./JJD)
40. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/ES)

41. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/ES)
42. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above- ground irrigation is provided for the establishment period. (Planning/ES)
43. Ensure that the planting of all approved trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Landscape trees shall have a minimum caliper of 1-1/2 inches. Each tree is to be adequately staked. (Planning/ES)
44. Ensure all exterior lighting fixtures are installed and operational. Illumination from light fixtures, except for street lights, shall be limited to no greater than 0.5 foot-candle at the property line as measured in the vertical and horizontal plane. (Planning/ES)

**D. Prior to release of performance security, the applicant shall:**

45. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
46. Submit, if needed, any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. Ensure that no structures including the building roof eaves can encroach into the easements. (Site Development Div./JJD)
47. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the CWS-required plantings and vegetation within the sensitive area, vegetative corridor, and storm water planters as determined by the Public Works Director. If the plants are not well established (as determined by the Public Works Director) within a period of two years from the date of substantial completion, a plan shall be

submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Operations Director prior to release of the security. (Site Development Div./JJD)

48. Provide a post-construction cleaning, system maintenance, and filter recharge/replacement inspection report from a manufacturer-qualified maintenance provider for the site's proprietary storm water treatment system. Additionally, another servicing report from the manufacturer-qualified maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)

#### **LD2018-0032 Replat Two:**

##### **A. Prior to approval of the final plat, the applicant shall:**

1. Show granting of any required on-site easements on the plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)
2. The final plat shall be fully dimensioned and indicate the square footage of each lot and/or tract. (Planning Division/ES)
3. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/ES)
4. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/ES)
5. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/ES)

#### **LO2018-0004 Loading Determination:**

##### **A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**

1. Ensure the associated land use applications Conditional Uses (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006) and Tree Plan Two (TP2018-0008) have been approved and are consistent with the submitted plans. (Planning / ES)

**PD2018-0002 Parking Determination:**

**A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**

1. Ensure the associated land use applications Conditional Use applications (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Sidewalk Design Modification (SDM2018-0006) and Tree Plan Two (TP2018-0008) have been approved and are consistent with the submitted plans. (Planning / ES)
2. Submit a final Shared Parking Agreement, to ensure all parties are in agreement with the operations of the Garage. (Planning / ES)

**SDM2018-0006 Sidewalk Design Modification:**

**A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**

1. Ensure the associated land use applications Conditional Use (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002), Sidewalk Design Modification (SDM2018-0006) and Tree Plan Two (TP2018-0008) have been approved and is consistent with the submitted plans. (Planning / ES)

**TP2018-0008 Tree Plan Two:**

**A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**

1. Ensure the associated land use applications Conditional Use applications (CU2018-0017 and CU2018-0018), Design Review Three (DR2018-0123), Replat Two (LD2018-0032), Loading Determination (LO2018-0004), Parking Determination (PD2018-0002) and Sidewalk Design Modification (SDM2018-0006) have been approved and are consistent with the submitted plans. (Planning / ES)
2. In accordance with Section 50.90.1 of the Development Code, Tree Plan

approval shall expire 2 years after the date of approval unless, prior to that time, a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension has been filed, pursuant to Section 50.93 of the Development Code, or authorized development has otherwise commenced in accordance with Section 50.90.3.B of the Development Code. (Planning / ES)

3. Submit plans demonstrating compliance with tree protection provisions of Section 60.60.20 of the Development Code, unless modified in agreement with the City Arborist. Plans showing compliance with these standards, including placement of orange tree fencing shall be provided prior to Site Development Permit issuance. (Planning Division / ES)
4. Submit revised landscaping plans showing deciduous tree planting will occur at a rate equivalent to their removal. 58% of the trees in the Sensitive Area to be removed where identified as deciduous trees, therefore, 58% (equivalent to a minimum of 24 inches at DBH) of the mitigations trees shall be deciduous (Planning / ES)
5. Mitigation Trees shall be placed within a conservation tract recorded with a deed restriction with Washington County. Each Mitigation Tree planted shall be insured through a performance security, equal to 110 percent of the cost of the landscaping, filed with the City for a period of two (2) years to ensure establishment of the mitigation planting. (Planning / ES)
6. Dead trees within the CWS Sensitive Area, as identified in the submitted arborist's report dated July 31, 2018, should be fallen only for safety and left at the resource site to serve as habitat for wildlife, unless the tree has been diagnosed with a disease and must be removed from the area to protect the remaining trees or sufficient justification is provided by a biologist showing that the additional tree materials provide have no habitat benefit. (Planning / ES)
7. Mitigation trees shall be maintained in accordance with Section 60.60.25.1.B. (Planning / ES)